

PRINCIPLES AND  
PRACTICE of MORALITY

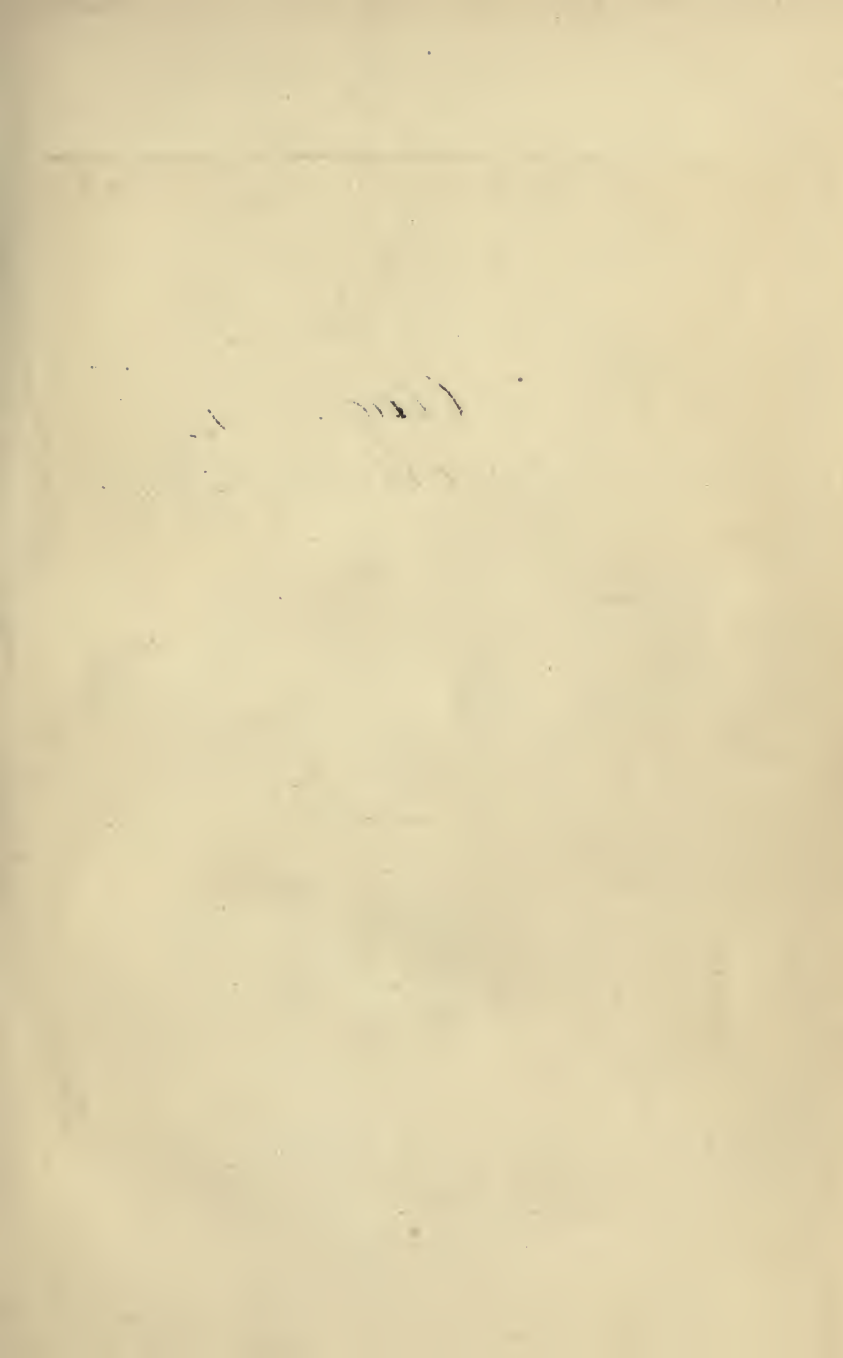
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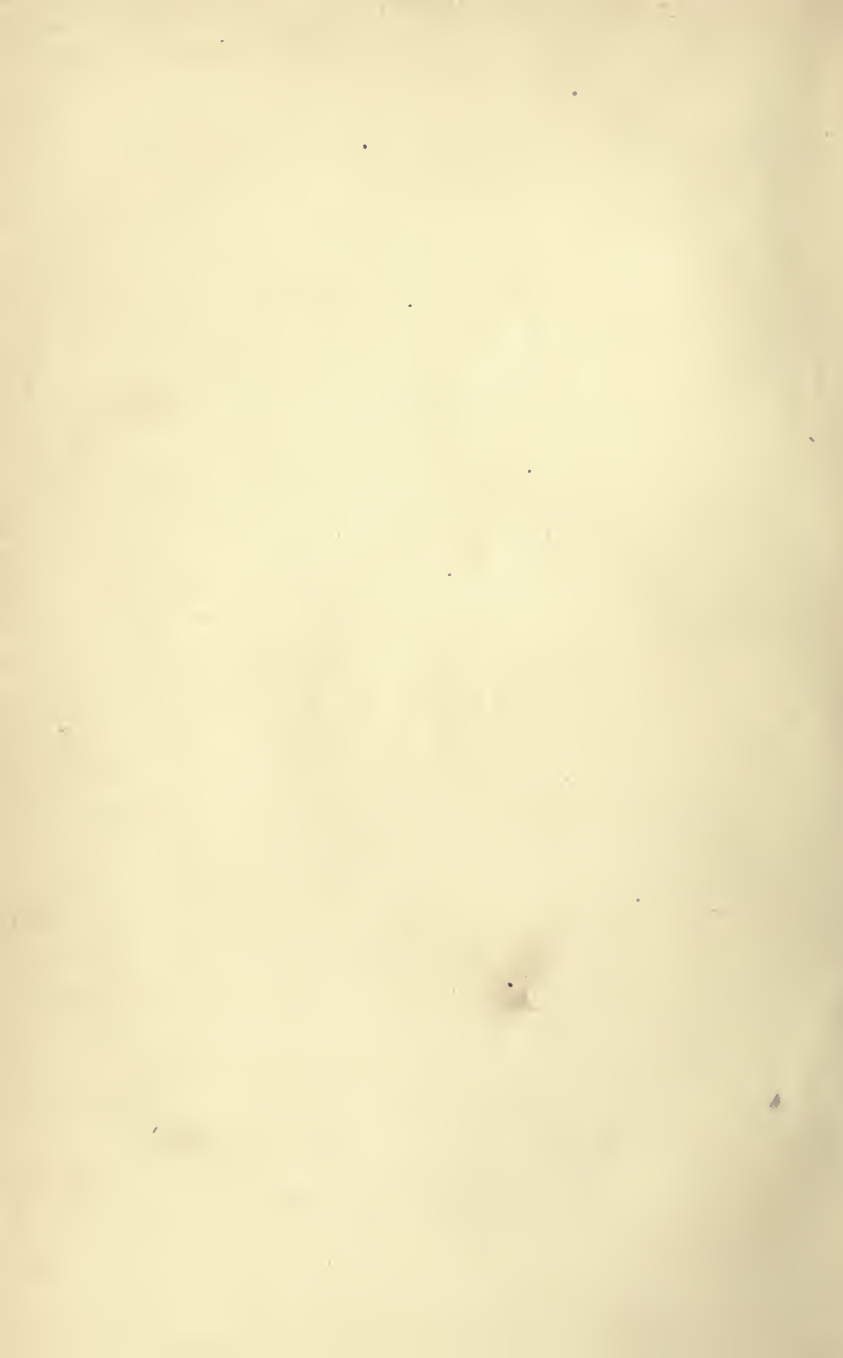
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PRINCIPLES AND PRACTICE

OF

MORALITY;

OR,

*ETHICAL PRINCIPLES DISCUSSED AND  
APPLIED.*

BY

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## PREFACE.

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A NEW text-book on Morals may justly be challenged to prove its right to appear in an already over-crowded community of similar treatises. The only answer that

## ERRATA.

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Preface, page iv, line two from bottom, should be *1886* instead of *1888*.

Page 38, line five, should be *as* instead of *an*.

Page 156, line seven from bottom, (*d*) should be (*c*).

Page 163, last line, should be *natural* instead of *naturul*.

in a text-book on morals at the present day, is to accumulate such references and notes. Too many of them distract the student's attention, and often bewilder him. Well-read teachers make little or no use of them; teachers who are not well-read commonly lack the time or inclination to look up the references for their own information. Most of what the author has thought it necessary or desirable to say respecting the various schools of moralists and their methods may be found in the somewhat lengthened Chapter III. of Part II. Division IV. on "The Ultimate Ground of Obligation."

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## PREFACE.

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A NEW text-book on Morals may justly be challenged to prove its right to appear in an already over-crowded community of similar treatises. The only answer that in this case can be given is, that the book has been made for a service which no one of its predecessors could be persuaded to render. It embodies the lectures its author has given to his classes in Ethics, and is, what it purports to be, distinctively a text-book. It touches existing controversies only so far as is necessary for the elucidation or defence of its own positions. The aim has been to condense rather than to expand its discussions, and to diminish rather than to multiply its pages. Numerous references to authors, with foot-notes and statements of controverted points, have been purposely omitted. One of the easy, and one of the useless things in a text-book on morals at the present day, is to accumulate such references and notes. Too many of them distract the student's attention, and often bewilder him. Well-read teachers make little or no use of them; teachers who are not well-read commonly lack the time or inclination to look up the references for their own information. Most of what the author has thought it necessary or desirable to say respecting the various schools of moralists and their methods may be found in the somewhat lengthened Chapter III. of Part II. Division IV. on "The Ultimate Ground of Obligation."

To have anything like a clear understanding of existing ethical controversies, one must know the ethical treatises that have appeared within the last fourteen years.

When Prof. Sidgwick published the first edition of his *Methods of Ethics*, in 1874, — it has been called an “epoch-making book,” — English speaking moralists were grouped under two general classes, known as intuitionists and utilitarians or derivatists. Prof. Sidgwick in criticising these two classes handled a two-edged sword, cutting keenly into “egoistic hedonism,” but turning the sharper edge on “intuitionism.” His own theory he styled “universalistic hedonism.” In 1876, two years after the appearance of the *Methods of Ethics*, Mr. F. H. Bradley published his *Ethical Studies*, consisting of an application of Hegelian principles to ethical questions. In 1878 appeared Herbert Spencer’s *Data of Ethics*, giving the methods and fundamental principles of the Ethics of Evolution. In 1882 Mr. Leslie Stephen, with the same purpose as Mr. Spencer, but seeking it by a different method, published his *Science of Ethics*. In 1883 appeared Prof. T. H. Green’s posthumous but elaborate and able *Prolegomena to Ethics*, giving the Hegelian view of the ethical controversy started by evolutionary ethics. In 1885 appeared Dr. James Martineau’s *Types of Ethical Theory*, 2 vols., on the intuitional side; and the same year was published in this country Pres. Porter’s *Elements of Moral Science*, in a modified way on the utilitarian side. In 1887, *Principles of Morals*, by Prof. Fowler of Oxford, was published (*Introductory chapters* by Profs. Wilson and Fowler had appeared in 1888), maintaining that ethical ideas and principles originated in the progressive expe-



rience of the race and have been historically developed. The treatise is distinctly utilitarian.

Of the various and conflicting theories of these writers, three have been worked out by methods wholly foreign to those of both the older intuitionists and the older utilitarians. The first, in the order of time, was the Hegelian. This theory while resting all on consciousness, and making man to be a part of nature, and his consciousness a manifestation of the Divine Mind of the universe, finds the standard of right for every individual man in the moral laws recognized in his time and in the community of which he is a part. The second, was the evolutionary, which supposes all moral ideas and moral sentiments to have been naturally evolved out of a pre-intelligent as well as a pre-moral state of the race. The third, which styles itself the "historical method," maintains "that morality is the result of constant growth," "the result of the constant interaction of the primary feelings of our nature."<sup>1</sup> This last-named theory has some noticeable points of affinity, and apparent agreement, with the evolutionary theory.

Evolutional ethics assumes and "historical" ethics implies, that the explanations they give of the process by which moral laws and their sanctions have become known are also explanations of the process by which these have been originated. But grant, if we will, that evolution and historical development have made the race aware of the existence of moral distinctions, this by no means proves that experience has created the distinctions. Neither of these theories accounts for the origin of the feeling of oughtness; neither do they explain the imperativeness with which recognized moral law always

<sup>1</sup> See Prof. Fowler's Preface.

speaks to the human heart. Experience can tell what has been; can help us to conjecture what may be; it can never tell what ought to be. No cautious moralist will be in haste to construct his moral system on any basis yet furnished by natural science. Nor need any one take alarm at the threatened supplanting of "metaphysical ethics" either by "historical ethics" or by the long ago christened but yet unborn "scientific ethics."

In treating of morals, with any semblance of either science or philosophy, we must deal with moral phenomena as we would with any other phenomena that are indubitably real. No theory of their origin has anything to do with their reality, or with the trustworthiness of our explanation of them. The laws of Astronomy have nothing to do with any theory of the origin of our planetary system. If the nebular hypothesis could be demonstrated with mathematical precision to be true, the science of astronomy would remain precisely what it now is. Geology is none the less a science because of uncertainty as to the origin of many of the facts with which it deals. The simple question with both Astronomy and Geology is, can these sciences explain their facts and phenomena, and so explain them as to give us co-ordinated and systemized principles and truths? And precisely so is it with Ethics in dealing with the moral facts and phenomena of man. Can it so explain these as to draw from them a self-consistent system of moral truths and precepts? If it can, it matters little what may be our theory of the origin of the phenomena; whether man came into being by direct creative power, and his knowledge of moral distinctions by intuition, or both were slowly evolved through countless ages out of materials that were neither intelligent nor moral.

But if in attempting to account for the origin of moral phenomena they are robbed of the one characteristic of them all, viz. an imperativeness of command to every human being, it is not so much a science or a philosophy of morals that is given us, as it is a compound of prudential considerations made up of generalizations from natural science, partly scientific and partly metaphysical.

The value of a historical method, in the true sense of the terms, in a science or a philosophy of morals, can hardly be over-estimated. Like every other science or department of philosophy, that of morals can be best understood only through a knowledge of its history. This history is interwoven with the whole general history of philosophy,—indeed, with the history of mankind. Special histories of ethical systems also abound.<sup>1</sup>

But it should not be forgotten that there can be no strict science of morals in the same sense of the word science as there can be a science of physiology, or even of psychology. Strict science fulfils its whole task in simply telling what is. A full account of morals must not only tell what is, which is all that science

<sup>1</sup> Of these it will suffice to mention Mackintosh's well-known *Dissertation on the Progress of Ethical Philosophy*; The latter half of Prof. Bain's *Mental and Moral Science*; Prof. Sidgwick's very condensed *Outlines of the History of Ethics*; and in contrast, Maurice's very diffuse and undigested *Moral and Metaphysical Philosophy*; Prof. Courtney devotes Part 2d of his *Constructive Ethics* to a historical survey and criticism of German and English moralists. On Ethics in England, may be mentioned Whewell's *Lectures*; Prof. S. S. Laurie's *Notes, Expository and Critical*; Wilson and Fowler's *Principles of Morals*, Part I. "Introductory Chapters," with a pronounced utilitarian bias. In addition to these special histories may be mentioned histories of Philosophy, specially, for Grecian ethics, Zeller's *Greek Philosophers*, Prof. Jowett's translation of *Plato's Dialogues* and Sir A. Grant's *Ethics of Aristotle*. Many side-lights to the history of Ethics are also furnished in the history of Christianity and of Christian doctrines, and in certain special histories, such as Lecky's *History of Rationalism and History of European Morals*, and Leslie Stephen's *History of English Thought in the Eighteenth Century*.

can do, but, calling philosophy to its aid, it must tell us what ought to be, and why it ought to be. In explaining and justifying the "ought" we must have recourse to some of the profoundest principles of which philosophy has any knowledge. A full treatment of morals, therefore, requires that in dealing with its facts our method should be scientific, and in treating of the principles, which the facts imply and involve, our method should be philosophical.

It is possible that criticism will be made on the length of some of the discussions under "Principles of Morality" and on the brevity of others. The extent of the discussion has been determined by the supposed needs in each case. The needs will doubtless be differently estimated by different writers. In the author's estimation no questions in the whole range of ethical discussions, and specially at the present stage of these discussions, are so fundamental as those of conscience, inclusive of the moral judgments, and the ultimate ground of moral obligation. All ethical questions resolve themselves, in the last analysis, into the question of conscience and the final ground of its decisions. The treatment of "Practical Morality" has been purposely made brief. Any teacher who may desire to amplify will find, if he wants, abundant materials in other treatises, particularly in Wayland's *Moral Science*, the best treatment of practical ethics yet to be found in our language.

E. G. ROBINSON.

BROWN UNIVERSITY,  
February, 1888.



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# PRINCIPLES OF MORALITY.

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## PRELIMINARY.

§ 1. THE terms Moral Science and Moral Philosophy are commonly used in our day interchangeably and as synonymous. But they cannot justly be regarded as strictly identical in meaning.

Moral Science is definite and exact knowledge respecting morals; Moral Philosophy is a justification of the principles that are always implied or assumed in Moral Science; and it may also include a discussion of questions which the conclusions of the science suggest, but which it cannot answer, because lying beyond its range. Moral Science aims to decide for us what conduct is right; Moral Philosophy, why it is right. But neither one can complete itself without the aid of the other. Thus those writers who insist that Morals shall always be treated scientifically, that is, by an *a posteriori* process,—who define Moral Science, or Ethics, as the science of right conduct,—are compelled, in determining what shall be regarded as right conduct, to step outside the limits of science, and into the realm of philosophy.

Mr. Herbert Spencer says: "Morality, properly so called,—the science of right conduct,—has for its object to determine how and why certain modes of conduct are detrimental and certain other modes beneficial." The "how" is manifestly a question of science; the "why" is also, with equal plainness, a question of philosophy. Others, again, define Ethics as the "science of human duties," and claim to be able by strictly scientific methods to determine what human duties really are, forgetting apparently that the question what makes duty to be duty,—why some actions are obligatory and others are not,—is strictly a philosophical and not a scientific inquiry.

Thus any treatment of Morals that is complete in itself must be both philosophical and scientific. Aim. Ethics as a science aims to discriminate between, and to classify, acts as right or wrong; as a philosophy, it aims to furnish and to justify the principles according to which the discrimination and classification must be made. Or, as the order more naturally is, Ethics first as a philosophy seeks to determine as accurately as possible the moral principles or laws by which human conduct should always be regulated,—to ascertain, through an appeal to every accessible source of knowledge, the moral laws by which the conduct and characters of men are always to be judged; then, having ascertained the principles of human action, and the laws that should regulate it, Ethics as a science seeks to determine and to classify the courses of action that all men ought to pursue. And since all action results in per-

sonal character, Ethics requires a treatment, both philosophical and scientific, of the nature of true virtue, ideal and real, the necessity and means of acquiring it, and the connection of the possession or the want of it with individual and social well-being.

It is not, however, the province of Ethics, whether as a philosophy or a science, to furnish specific and infallible criteria for all imaginable individual actions. Casuistry. Casuistry, in its distinctive and restricted sense of deciding the right and wrong of all possible human actions, does not properly come within the sphere of either scientific or philosophical Ethics. The endless complexities and diversities of human actions make it simply impossible that criteria for testing all should be supplied. But Ethics should, and does, furnish such knowledge of the means of ascertaining the moral quality, and thus the right and wrong, of all human actions and of all human relations, as shall enable every one to determine for himself, with proximate accuracy, what ought in given cases to be done, and what has been right or wrong in specific actions already performed.

The terms Ethics and Morals (the first from the Greek, and the other from the Latin)<sup>1</sup> are commonly used by modern writers as having one and the same meaning, and it will be observed are so used in these pages. Ethics and  
Morals  
synonymous.

§ 2. Our conception of the SOURCES of Ethics will depend on our conception of the tests of right and

<sup>1</sup> Ἠθικά, *mores*.



wrong, as also on our conception of what is called the ultimate ground of moral obligation. If it be the purpose of Ethics to decide what conduct is right for man, it should also furnish a test or standard of right; and if possible it should also give sufficient reason why all should conform to the standard,—in other words, should show what is the real and ultimate ground of moral obligation. Whatever will give us this standard of right, and show us this ground of obligation, will be a Source of Ethics.

If, now, we assume that conduciveness of actions to the highest good (*summum bonum*) of man is a test of right, and that this highest good is the greatest pleasure or happiness of man, and that the ground of obligation is in one's duty to secure the greatest possible amount of happiness to himself, or, as some maintain, to others as well, then our sources will be the results of actions as ascertained from experience, observation, history, and the complex relations of human society. (Utilitarian theory, as advocated under varying phases by Paley, Bentham, J. S. Mill, and more recently by Prof. Sidgwick.) If with the modifications of this theory suggested by evolutionists we assume that "conduct is good or bad," according as it is, or is not, "conducive to life," and "according as it does, or does not, bring a surplus of agreeable feeling" (Spencer), or that actions are good in proportion to their tendency to increase the "efficiency" of society in "self-preservation" (Leslie Stephen), then our sources will be mainly the sciences of Biology and Sociology.



If we assume that the standard of right and the test of actions must be found in the positive laws of some authority regarded as supreme, then the source appealed to will be the enactments of that authority; for example, the enactments of the law-making power of the State (Hobbes); the canons and dogmas of the Church (Roman Catholics); the Sacred Scriptures (Dymond, Wardlaw, and German writers on "Christian Ethics"); the writings of philosophers and moral traditions (Cicero, *De Officiis*).

Theory of  
authority.

If again it be assumed that man is so constituted, both intellectually and morally, as not only to discriminate intuitively between right and wrong as such, but also, as some maintain, to discern intuitively what is right and what is wrong in given cases, then the one absolute source will be the moral consciousness, or, according to the terminology of many writers of this school, the conscience of man. Under various and more or less minutely distinguishable diversities of view, this theory has had numerous advocates: Bishop Butler, 1726; Price, 1757; Reid, 1788; Kant, 1785-88; Francis Wayland, 1835; Archibald Alexander, 1852; James Martineau, 1885.

Intuitive  
theory.

The validity of each and all of the foregoing assumptions, if taken unqualifiedly, may be disputed. They should be critically examined. On some accounts it would be desirable that this examination should be made before venturing to decide what our sources shall be; but

Criticism of  
the theories  
deferred.

beginners in the study of Ethics are not so well prepared for the examination at the outset, as they may be after a consideration of certain other questions; for this reason, as well as others that will afterwards appear, a criticism of the theories is deferred to the concluding part of the discussion of the theories of virtue.

If now we decline to adopt exclusively either one of the before-mentioned assumptions, we still may venture to assume that Ethics, in aiming to determine the moral obligations of man, should appeal to every conceivable and accessible source of knowledge concerning human action; and we shall assume, what we trust may afterwards show itself to be authorized, that there must be some one source to which every other is tributary, and with whose teaching that of every other, so far as it goes, must strictly accord. That source we claim must be the Moral Consciousness of man, that is, the consciousness which, when occupied with moral truth and questions of moral obligation, is always subject to moral emotions.

Consciousness is superior to all other sources because it is within it that are found all those intuitive ideas of right, justice, truth, and duty, on which ethics rests as on an immovable foundation; because it is only in the light of these intuitive ideas that the teaching from any and every other source becomes lucid and effective; because it is within the sphere of the moral consciousness alone, that discrimination between

All sources  
of knowl-  
edge to be  
appealed to.

Relation of  
conscious-  
ness to other  
sources.

special truths and errors and specific instances of right and wrong is made; because it is within the moral consciousness that whatever is derived from any other source must vindicate itself as ethically true. Nor does this give to the moral consciousness an authority independent of that of other sources. It simply recognizes three indisputable facts, viz.: that no moral truth, come whencesoever it may, can ever influence our conduct till, brought within the sphere of the moral consciousness, it commands our assent; that the moral consciousness of individuals, communities, and the race alike, is progressively enlightened by increase of knowledge communicated from other and various sources; that man is so constituted morally, that moral truths, clearly made known and dispassionately regarded, are always sure to vindicate their authority within his moral consciousness, commanding the assent of his intellect if not the consent of his heart.

It is to the Moral Consciousness, therefore, as the controlling source, that we must first make our appeal, and then secondarily to every other source of moral knowledge whence can emanate the truths by which consciousness may be illuminated and quickened, viz.: the Sacred Scriptures, particularly the New Testament; the manifest result of the principles and practices of men as gathered from any science, or from history, observation, and individual experience; and, lastly, to philology, the writings of philosophers, and the literatures of the world. The sources to which we would thus resort

Relative  
authority of  
sources.

may not all be appealed to in every question, nor always in the order in which we have enumerated them, but when consulted, the relative weight of their authority may be regarded as follows:

(a) The Moral Consciousness will be chief and finally decisive for reasons already given.

(b) The moral teachings of the New Testament stand next, because to all who are made acquainted with them they are a source of enlightenment, clarifying consciousness, and within it vindicating, as they have always done, their own absolute truth and authority.

(c) It is within the Moral Consciousness, illuminated by the moral teachings of the New Testament, that the meaning and the authority of the lessons of experience, observation, History, and Sociology are clearly recognized.

(d) As instructed by the New Testament, experience, observation, History, and Biology, the mind is prepared to understand and accept what is taught by Philology, as also whatever is true in the writings of philosophers and in the literatures of the world.

§ 3. RELATIONS of Ethics to other Sciences. With every science that treats of the nature, powers, or activities of man, Ethics stands in more or less intimate relations, borrowing materials from some and contributing to others.

1. With the Science of Mind Ethics is intimately related, though the two sciences are clearly distinct. The first treats of the strictly mental powers, processes, and products; the second, of the moral nature of man, of his moral judgments,

To mental  
science.



and of the moral ends towards which moral judgments impel him, and towards which his energies ought always to be directed. The closeness of the connection of the two sciences becomes apparent by observing that —

(a) \*All moral acts, to be moral, must also be, to a greater or less degree, mental acts.

(b) Ethics and the Science of Mind both make their final appeal for information and for decisive tests of their conclusions to the same source, — consciousness.

(c) Mental and moral phenomena always coexist and are indissolubly conjoined in action. There is always a necessary coaction and interaction between the cognitive, the emotional, and the volitional powers. Cognition awakens emotion; emotion prompts to volition; volition, whether terminating in mere purpose or consummated in action, always, through reaction, contributes to the formation of character.

(d) It is only in the purely intellectual light of consciousness that there can be an intelligent interpretation of the moral phenomena or facts with which Ethics has to deal. Many of these facts are the products of complex mental processes, and consist of elements some of which are moral and some non-moral. Facts or phenomena, which are thus composite and complex, can be analyzed and rightly understood only under the guidance of intellect and in the clear light of consciousness.

(e) It is in the light of consciousness alone, and on the authority of the ratiocinative power of the soul, that the conviction of moral obligation and of per-

sonal duty, which a view of moral law spontaneously awakens, can, when defied or decried, be vindicated and enforced.

(*f*) Our Ethics will always correspond to our Science of Mind. If we know one's mental philosophy, we may know for a certainty what, if he be logically consistent, must be his moral philosophy. As one explains the facts of the intellectual consciousness, so also must he explain the facts of the moral consciousness. If one is a sensationalist or an evolutionist in Metaphysics, he will necessarily be a utilitarian in Ethics; and if one is an intuitionist in Metaphysics, he will necessarily be an intuitionist in Ethics.

2. Relations with Theology, both natural and revealed: (*a*) With Natural Theology. The main offices of natural theology are to prove the existence of a creative personal Being whose will is supreme; to ascertain and classify his attributes, and to determine the relation of these to man. It is the office of Ethics to ascertain, justify, classify, and enforce the moral obligations of man. Natural theology examines moral phenomena, whence it educes evidence of the existence of the Supreme Being and of his supreme will. Moral Philosophy examines the same phenomena, whence it educes evidence of the reality of moral laws and of their supreme authority over man. Ethics and natural theology are not, therefore, merely related sciences, covering contiguous and impinging territories, but most of the ground traversed and of materials used is common to both.

And still further, it is evident that any account that



can be given of human duty will necessarily involve an inquiry into the real ground of moral obligation; and that any satisfactory statement of that ground will necessitate an examination of the questions whether the ground is in utility, in ultimate and eternal principles, or in the immutable nature of a supreme personal Being. An examination of these questions brings us, in the last analysis, into the presence of a Supreme Archetypal nature, before whose righteous will, as expressive of His nature, every finite will must finally bow. Thus Deontology naturally and necessarily leads to Natural Theology. The metaphysic of Ethics inevitably brings us into the presence of an infinite Personality of supreme authority,

The Meta-  
physic of  
Ethics  
involves  
Natural  
Theology.

(b) Relations with Christian Theology. The Christian Religion is pre-eminently an ethical religion. It proposes to make men "zealous of good works," and enjoins on all believers in Christ to be "careful to maintain good works." Christian theology is a scientific statement of the truths of the Christian Religion, all of which more or less directly enforce practical morality. Ethics is a scientific statement of the clearly established duties of man, which the doctrines of theology, with more or less distinctness, enjoin. Ethics approaches Christianity from the practical side; Theology approaches Ethics from the dogmatic or theoretic side. They are but two sides of the same truths. Each supplements the other. A theology that does not lead to a practical righteousness cannot be a true one; and a practical

Revealed  
theology.

righteousness or Ethics, whatever its claim to be regarded as scientific or philosophical, that cannot justify itself by an appeal to a true Christian theology is one that lacks a solid foundation.

3. Ethics also holds intimate relations with all those sciences that pertain to human governments and to the intercourse of mankind with one another in human society. Thus to Political Science, to Jurisprudence, Economics, and Sociology Moral Philosophy stands in the relation of supplying moral laws which they cannot safely disregard, and from each in turn it can derive more or less support of its own independent conclusions. Moral obligation attaches to man not merely as an isolated individual, but also to man as related to other individuals, and to man as organized into society and constituting the state. Personal obligations, and the personal rights which personal obligations authoritatively establish, underlie together, as an immutable basis, the science of jurisprudence; and the two sciences of obligations or Ethics, and of rights or Jurisprudence, are essential, though silent and only implied, factors in the science of Political Economy, — factors wanting which, since moral laws are the most fundamental and inexorable of all the laws under which man exists, the most careful conclusions of political economy are hopelessly vitiated, — and they are corner-stones in the foundation of Political Science, or the science of government; and the sciences of morals, jurisprudence, government, and economics will be found to be conjoint and controlling factors in the later and more pretentious science of Sociology.

The sciences  
of Govern-  
ment,  
Jurispru-  
dence,  
Economics,  
Sociology.

## PART I.

### ESSENTIAL PRINCIPLES OF ETHICS.

#### CHAPTER I.

##### PRINCIPLES ASCERTAINED.

§ 4. ETHICS, both as a philosophy and a science, has to do, as we have seen, with human actions and human characters. It proposes to teach men what they ought to do and to become. In doing the first, it scrutinizes and judges actions; in doing the second, it analyzes and weighs characters. Acts and actors, or deeds and doers, which together make up the subject-matter of Ethics, must, in our examination of them, be regarded as correlates and inseparable from one another. Moral actions can be performed only by personal beings. Actions are at once both an index of what a man is, and a means to his becoming what he ought to be. A full and accurate exposition, therefore, of what a moral action is or implies, and of what constitutes personal being, will unfold the fundamental principles of moral philosophy. To ascertain these principles or factors we must determine: First, what is always involved in a moral action; and, secondly, what always enters into and constitutes a responsible actor or person by whom the act is performed.

Acts and  
actors the  
subject-  
matter of  
Ethics.

§ 5. 1. Every moral act will be found on analysis to involve a purpose or will; a law; a result or character; and a self-judgment. Thus:

(a) Every moral act must embody a purpose, *i. e.* must express a volition and be done for some definite end. The act always springs from a choice between two or more ends; and in the choice between ends lies the right or wrong of the act. An unwilled act is no moral act at all. Acts, furthermore, which are precisely the same in means and outward form, are rendered totally dissimilar, and even opposite in quality, by difference of purpose. A heavy and disabling blow may be blamable or praiseworthy according as it is prompted by malice or by a desire to protect the defenceless. Ascertain the purpose of an act, or why it was done, and we determine its moral quality as well as the guilt or the innocence of its doer. Purpose or end is a mere expression of will. Will is, accordingly, one of the essential factors of philosophical ethics.

(b) If the purpose of an act, *i. e.* the end willed by it, always determines its moral quality, it must do so because one act is obligatory rather than another. An act must be right or wrong only because it fulfils some clearly defined moral obligation. Moral Law, which determines or proclaims the obligation, is accordingly another essential factor.

(c) Every act is followed by its necessary and natural consequences to the actor. No act terminates in itself, but primarily in the actor, and secondarily in those with whom the actor

What moral  
acts involve.

Will.

Moral law.

Virtue.



is associated. Acts are neither enjoined nor forbidden on their own account alone, but also on account of their consequences. These consequences are the law's sanctions,—its so-called rewards and penalties. They show themselves among other ways chiefly in the character, in the virtuousness or viciousness of the author of the acts. The Nature of true Virtue is accordingly another factor.

(d) Every act, both before and after it is done, is judged by the doer of it. Before the doing, the judgment may be instantaneous and Conscience. utterly false. But every act, as contemplated by its author, whether in prospect or retrospect, elicits from him a judgment of approval or disapproval. As an act in prospect, or a purpose, it elicits, if approved, the judgment that the end sought is for him more desirable than any other; as a purpose executed, he cannot, if he would, avoid judging it, and it is sure to evoke a judgment of approval or disapproval according as it is regarded as having fulfilled or violated some recognized obligation. Conscience is, therefore, another factor in a philosophy of morals.

§ 6. 2. The principles of ethics must also be looked for in an analysis of the doer of moral acts. Moral actions can be performed only by personal beings or moral agents. Morality is predicable only of persons and never of animals or things. An analysis of personality, therefore, and ascertaining-  
Constituents of person-ality.  
 ment of what constitutes it, is as requisite as an analysis of moral action if we would find the principles of a true philosophy of ethics. If now we analyze personality we shall find:



(a) That it plainly consists of at least the power to know, the capacity to feel, and the ability to will; known as the threefold endowment of intelligence, sensibility, and will. But that brutes possess some degree of intelligence, feeling, and will there is no good reason to doubt; and yet brutes are not persons. The whole of personality is not, therefore, presented under the mere terms intelligence, sensibility or feeling, and will. Intelligence in man is something more than a simple power to perceive and distinguish: it is a power to compare, to deliberate, to abstract, to generalize, and to judge,—it is understanding, it is reason; and reason travelling boundlessly beyond the mere objects of sense to which the intelligence of the brute is limited. The intelligence of the person is also always accompanied with consciousness, in which a broad distinction between thought and things is clearly recognized, as also between thoughts, purposes, and the actions which express them. A person is capable of deliberation and judgment both before action and after; and his judgments are always accompanied with conscious emotions. He is also conscious of distinctions between various and conflicting motives by which he may be actuated; and by a necessity of his own being he judges his own acts and judges himself as author of them, and is conscious of moral emotions as the result of his moral self-judgments. The most decisive characteristic of personality is its self-compelling, inextinguishable faculty of self-judgment,—the Conscience. And since the analysis of personality is as

much more decisive than that of an act as a person is more than his acts, we shall regard Conscience as the foremost factor in a philosophy of ethics.

(b) Again, another characteristic of personality is its immediate apprehension of the intuitive ideas of right, justice, truth, and duty, — its Moral law. instinctive sense of obligation, and its felt need of some authoritative rule or law by which its obligations may be determined. So strong is this sense, and so sure is it to prompt to a search for, and to bring to some kind of apprehension of, moral law, that no one exists, in a normal state of being, who does not to some degree attempt, however ineffectually, to hold himself in obedience to some sort of rules of conduct. The rules, it is true, may be arbitrary, unnatural, and cramping to both intellect and heart, or they may represent with minutest accuracy the moral needs of the whole man; but he accepts and obeys them, because with his degree of enlightenment, they satisfy his sense of obligation more nearly than any others of which he has knowledge. And so uniform is this sense of obligation, and the recognition of moral law both as answering to the sense and as the counterpart of conscience, that moral law may be said to be, like conscience, an integrant part of his being. It is on the authority of some kind of moral laws, which he has accepted as binding on him, that his conscience always renders its decisions. Moral Law, therefore, may be instanced as the second great factor of ethics.

(c) Again, moral law, which reason looks for and

recognizes, and which conscience in its judgments enforces, addresses itself directly and authoritatively to the will of man. Will is the central principle, the determinative power, of all personality. It is to this power that moral law always addresses itself with its "thou shalt" or "thou shalt not." It is thus the Will that determines all conduct, and decides the character of the whole man. Will is, therefore, another essential factor in ethics.

(d) Finally, personality is an aggregate of active powers, or vital forces, all of which, unperturbed and unhindered in their action by the lower impulses of our nature, tend towards the perfectibility of the human type. What these powers of the human soul should, and unperturbed would, work towards, it is the office of moral law to proclaim. Moral laws, declaratory of moral duties, do not exist for their own sake, nor primarily for any other ends than the perfection of individual being. Having their ground in moral being, their design as precepts or formal rules is to secure the realization of ideally perfect personalities. But since persons do not reach nor make approaches to perfectibility of type as isolated units, but only as organized into society, moral laws also relate to man in all his endlessly varied human relations. And their design is to make of individuals the highest and best of which they are capable; and, through doing the utmost possible for individuals, to accomplish the utmost possible for human society. The design is to make man, and all men, the possessors of true virtue. The Nature of

true Virtue, as a realization of this ideal perfectibility of personal being, thus becomes necessarily an important inquiry,—is in fact an essential factor in a philosophy of morals.

An analysis of personality thus gives us the identical components, and so the same factors, for a philosophy of ethics that were found in our analysis of moral action, though in a somewhat differing order both of presentation and of genetic relation. But the order presented in the analysis of personality is more in accordance with the natural and logical order of thought, as also of the mind's order of procedure in scrutinizing moral conduct and in reviewing the moral systems of men. In examining conduct or systems we naturally first ask why men have moral judgments? then, according to what do they judge? then, do or can they follow their moral judgments? and then, if they do follow their judgments, what is the result? Following this order we have as the main factors of the philosophical part of ethics: the Reason as seen in its function of moral judgments,—the Moral Faculty,—the Conscience; Moral Law; the Will; and true Virtue.

§ 7. The Sensibilities, or Feelings, one of the elementary components of personality, it will be observed, are not specially mentioned in this enumeration. The omission is not from oversight, and is justifiable on several grounds. The sensibilities are an obscure, debatable, middle ground, covering the unknown realm where soul and body unite, the inscrutable region lying between the seat of reason and the

Arrange-  
ment of the  
factors.

The sensi-  
bilities.



source of will, and may, therefore, not inappropriately be distributed between these two powers.

The sensibilities, or feelings, are of two kinds in their origin, according as they spring either from conditions of the body or from acts and states of mind. If by sensibilities we mean those feelings, or susceptibilities to feeling of pain or pleasure which have their origin in involuntary nervous excitations, or in given states of the bodily organism, then the relation of these feelings or susceptibilities to moral action is too remote to entitle them to an independent consideration, or to any more than the incidental recognition which their slight connection with mental action or moral volition make necessary. But by feelings we may mean the emotions that are awakened by purely perceptual or cogitative acts of the mind; as strictly mental products under the control of will they can receive all the attention that in ethical discussion can be claimed for them either while considering the emotions that always accompany our judgments, or while considering the emotions, affections, or desires that precede or accompany volitions. Possibly by feelings may be meant those blind desires that spring into consciousness the silent product of habits; but these result in nothing moral till first becoming objects of thought, however momentary, they become purposes and volitions. But in any case the connection of the sensibilities with moral action will depend on the joint action of the reason and the will. Whatever view, therefore, can be taken of the sensibilities as sources of action they may properly be



treated of either in connection with the moral judgments, or with the will. In neither case need they be regarded as a special factor in Ethics.

A distinct and comprehensive discussion of the sensibilities would also necessarily include an inquiry into the nature of pleasure and pain, and into the moral effects of pleasure as an inducement to virtue,

**Considered under theories of virtue.** and of pain as a deterrent from vice; but such inquiries would trench on a consideration of theories of virtue,—especially of

the theory of utility,—and would subject to the necessity either of useless repetitions or of two separate and incomplete discussions. The truth is, Ethics presupposes some knowledge of man as a compound being consisting of body and soul, and as possessing instincts, hereditary impulses, and self-generated desires, of which Physiology and Psychology treat, and which it is the business of Ethics to teach us how to control and to subordinate to those great ends of life which they manifestly were intended to subserve.

The feelings as sources of action, whether consisting of sensations, instincts, appetites, desires, affections, sympathies, are all, to greater or less extent, under the

**Under practical Ethics.** control of reason and will. To control them, so far as practicable, is one of the special functions of the rational and moral judgments. Application of ethical principles to their control belongs to the distinctive sphere of Practical Ethics; so much attention to the sensibilities, therefore, as may be necessary in addition to what is incidentally and previously given will properly come under a discussion of practical duties.

## CHAPTER II.

### DISTRIBUTION OF MATERIALS.

§ 8. FROM our analysis of moral action and of personal being, it is evident that before we can discriminate between actions as right or wrong, and before we can test characters as good or bad, there must be a critical examination of, and agreement upon, the principles through application of which the discriminations and tests are to be made. The principles themselves are commonly known as Theoretic Ethics. But the principles are not theoretic in the sense of being hypothetical. They are simply abstract truths or statements of what is always contained in, or implied by, moral actions; and they constitute the Philosophy of morals. The application of the principles to actual life constitutes what is commonly known as Practical Ethics, and is the Science of morals. In a comprehensive treatment of Ethics there is required, therefore, first, a critical statement of the fundamental principles of being and action on which the science of Ethics must rest; and, secondly, a statement and enforcement of the practical duties which ethical principles require, and require of men both as individuals and as organized into human society.

§ 9. Theoretical Ethics may be subdivided into, first, those fundamental principles which are derived from, or grounded in, the moral nature of man, and which are ascertained by an examination of him psychologically and of his actions analytically; and, secondly, those fundamental questions which an inquiry into the moral nature of man necessarily leads to, viz.: questions relating to the significance of this moral nature, — why it should be what it is, — and relating also to the existence of a supernatural government over men, and of a Supreme Ruler whose existence and attributes man's moral nature seems clearly to reveal. A full examination of this second division, which includes what is sometimes called the Metaphysic of Ethics,<sup>1</sup> would cover the domain of Natural Theology, and does not, strictly speaking, fall within the sphere of philosophical ethics. An exhaustive examination of the two divisions would take the inquirer over an extremely wide territory. Only two or three of such minor questions, properly belonging to the second division, as may be suggested in the progress of the discussions, will in what follows receive attention. Under Theoretical Ethics we shall confine our attention to such ethical principles as the analysis of moral being has supplied us with; and under Practical Ethics we shall restrict ourselves to an application of the principles to the conduct of men.

<sup>1</sup> See Calderwood's *Handbook of Moral Philosophy*, p. 219. By Metaphysic of Ethics Kant means — and his would seem to be the only strictly legitimate meaning — those *a priori* principles of morals which reason alone apprehends and verifies, and to which no amount of experience can add any weight of authority.

In treating of Theoretic Ethics we shall, for reasons already indicated, and for others which will more fully appear as we advance, consider —

Distribution  
of Theoretic  
Ethics.

I. The Moral Faculty, — the Conscience, — by which men judge acts and characters.

II. Moral Law, or the rule according to which the Moral Faculty decides.

III. The Will, including so much of the Sensibilities as has not been considered in treating of the moral faculty, or as may not be more logically considered in other connections; *i. e.* the power in man which, together with the agencies affecting its action, it is the office of the moral faculty on the authority of moral law to control.

IV. Virtue, the result in man towards the production of which moral faculty, moral law, and will are ever to be directed; and theories of virtue, including the question of the ultimate ground of obligation on which, in the last analysis, the authority of conscience and moral law must rest, and to which will must be conformed.

§ 10. Under one or another of these four divisions every ethical principle that bears on human obligations in the way either of pointing them out or of enforcing compliance with them, and every principle that either illustrates the nature and need of true virtue, or prescribes the method of acquiring it, may receive, without disturbance of logical relations, all the attention that a discussion of the philosophy of morals may justly require.



## PART II.

### THEORETIC MORALITY.

#### DIVISION I.

##### THE MORAL FACULTY, OR CONSCIENCE.

#### CHAPTER I.

##### OF THE TERMS MORAL FACULTY AND CONSCIENCE.

§ 11. VERY different accounts have been given of the Moral Faculty. Even writers who have agreed in making their ethical systems turn on the authority of the moral judgments have differed materially in the explanations they have given of the process by which the judgments are reached. So various and even contradictory have been these explanations, that some modern authors discard the term faculty as unauthorized and misleading. Minute statements of the diversities of explanation given would too much extend these pages; only two or three of the more strongly marked classes of them will be given.

§ 12. What has been commonly understood by the moral faculty was at one time designated by Shaftesbury, Hutcheson, and their disciples as the Moral Sense,—an internal sense being supposed to exist corresponding to the external bodily senses,—and they maintained that the right and wrong



of actions were immediately apprehended in feelings or moral sensations which the acts imparted through the internal sense to the soul. All that now survives of this theory in current thought is the popular use of the phrase "moral sense" as a synonym for conscience.

§ 13. By another class of writers the phrase moral faculty has been made to denote a special endowment or faculty of the soul whose one exclusive office is to discern moral differences and by its judgments to enforce moral obligations.

A special  
faculty of  
the mind.

They regard it as a special faculty of the mind that in its own light distinguishes between right acts and wrong acts, either itself furnishing the principles by which it judges, or intuitively apprehending them as immutable truths or laws. Among those of this class, some of whom emphasize the perceptive, and others the emotional, element of the judgments rendered by the moral faculty, may be mentioned Butler, Price (English), Reid, Stewart, Calderwood (Scotch), Kant (German), Wayland, and Alexander (American).

§ 14. Another, and at present increasing class of writers, denying the existence of a moral faculty, sum up all that is usually ascribed to it under

The Moral  
Sentiments.

the general designation of the Moral Sentiments. This class began with Hume and Adam Smith, who resolved all that is usually called moral faculty into sympathetic feeling. Hartley and J. S. Mill resolved all into association of ideas, — maintaining that children, trained from the beginning to pleasant experiences from one kind of acts and to painful experiences from another kind, soon learn to ap-

prove the first and disapprove the second. Conscience with them is nothing more nor less than certain kinds of moral feelings or sentiments which are the direct product of individual experiences. Others still of this class, accepting the doctrine of evolution and the law of heredity, and carrying the origin of the moral feelings or sentiments far back into the prehistoric times of our race, resolve conscience into inherited feelings, — “instincts,” Leslie Stephen calls them, — which prompt to one kind of actions and disincline to another. Through the experience of countless generations, actions tending to the preservation of human life and the production of human pleasure have evolved in the race sentiments towards the repetition of these actions; and actions tending to the diminution of life and pleasure have evolved sentiments of aversion to them. Conscience is simply these inherited sentiments. Writers of this general class strenuously object to the terms moral faculty and conscience as unauthorized and deceptive.

§ 15. All writers, however, with whatever views of conscience, are agreed that man is capable of moral judgments. But whatever mental or moral function man is capable of, there would seem to be no good reason for refusing to say that he has a faculty for. The correlate of faculty (*facultas*, the power that easily [*facile*] acts) is capacity. Whatever one has a capacity to do he has a faculty for doing. Man perceives, recalls, deliberates, and decides, and it is well understood what is meant when it is said that for each of these functions he has a faculty.

Moral judgments require a moral faculty.

No sane person supposes that for each mental function the mind has a distinct and separate power or organ, corresponding to the separate bodily organs for distinct bodily functions. As it is the whole mind or indivisible ego that perceives, recalls, deliberates, and decides, so it is the whole indivisible mind or ego that renders moral judgments; and judgments of whatever kind require a faculty that renders them.<sup>1</sup>

§ 16. If it still further be objected to the use of the term moral faculty, that the mental process through which the mind passes in reaching a moral judgment is precisely the same as that through which any other judgment is reached, and therefore there is no such thing as a distinctive moral faculty, we must reply, that it is a well-established usage that we distinguish between faculties by epithets derived from the objects on which they are exercised. Capacity being the correlate of faculty, we often say that such an one has capacity for language and not for mathematics, or for mathematics and not for language; so with equal propriety we say one has the mathematical faculty,

Not a faculty  
as distinct  
from other  
mental  
powers.

Faculties  
distinguished  
according to  
objects on  
which they  
are exercised.

<sup>1</sup> President Porter, in his *Elements of Moral Science*, not only objects (p. 244) to calling conscience "a separate and special faculty, for the reason that there is no such faculty," but he seems unwilling to regard it as a faculty at all, though he does not hesitate to speak of it as capable of being "cultivated," and as "in one sense" having "supreme authority." If I understand him, his view of conscience is not essentially unlike that here taken. He says, "Conscience is the intellect and sensibility employed upon a special subject-matter." He does not hesitate throughout his treatise to speak of "moral judgments"; why, then, hesitate to regard the judgments as rendered by conscience as a faculty, though the faculty in its exercise be a combined action of "intellect and sensibility"?

the linguistic faculty, the poetic faculty ; just as on the same principle we speak of a scientific or a historical imagination, or of a verbal memory and the like. If, furthermore, it be claimed that moral judgments are nothing more than intellectual discriminations accompanied by the emotions awakened through recognition of the moral qualities of the objects judged, the claim may be admitted, and yet ample reason remain for ascribing the judgments to a moral faculty.

§ 17. In fact, the moral faculty is only that rational power of the soul by which all distinctions of whatever kind are perceived and judgments pronounced, and which is properly called moral only when the distinctions perceived are moral, and the judgments rendered are according to some recognized moral standard. It is the reason or whole rational being occupied with moral questions and giving some kind of moral decisions. Whatever the designation of the faculty that discriminates and judges, whether intelligence, understanding, or reason, by the same term, qualified by the epithet moral, we may designate the faculty which, through application of some kinds of tests admitted to be authoritative, discriminates between moral qualities.

§ 18. We thus find that the moral faculty is simply the reason awakening moral emotions, and awakening them by moral judgments. The judgments are moral because they are decisions made in view of moral laws which reason itself accepts as ultimate and inexorable. The emotions are an indivisible part of the judgments;

Moral faculty  
is reason  
exercised on  
moral  
questions.

Moral senti-  
ments require  
a moral  
faculty.



emotions never existing apart from the judgments, and the judgments never failing to awaken emotions. To suppose that there can be moral sentiments or feelings without moral judgments is as unreasonable as to suppose that there can be any other class of effects without adequate causes; and no one can be unreasoning enough to suppose there can be judgments of any kind without a mental power or faculty that judges. If there be moral sentiments, no rational explanation can be given of them except that which traces them to a mental faculty that is also not inappropriately called the moral faculty.

§ 19. If it still be asked how moral emotions can spring from merely rational self-judgments, the answer is simple and plain. As rational beings we are so constituted as to be always moved by whatever clearly accords with, or violates, truth and our recognized rules of right; our emotions are precisely accordant with what we have accepted as unquestionable laws, canons or standards, of judgment. In contemplating a work of art, we have pleasant or painful emotions precisely as it fulfils or violates our accepted canons of criticism. So also in judging conduct or character our emotions are pleasant or painful according as what we have accepted as rules or laws determinative of moral obligations are fulfilled or violated. The ground of the emotions is in the very constitution and nature of rational beings as such. To be rational and capable of moral distinctions is to be susceptible of moral emotions.

§ 20. It is just here that we discern the difference in



meaning that ought always to be observed in the use of the terms moral faculty and conscience. The former is more comprehensive than the latter; the one denoting a generic and the other a special function and office. The former denotes the soul's power to judge all kinds of moral acts, by whomsoever performed; the latter, the soul's power to judge its own acts and itself as the doer of them. The difference is not in the nature of the faculty, but in the function performed and in the emotional results that follow. We find in consciousness a clear distinction between the emotions awakened by judgments on the acts of others and of ourselves. In the emotions awakened by a judgment on one's own bad acts there is an element that never enters into the emotions from a judgment of the acts of others. Nero's bad acts and character bring disgust and strong condemnation; one's own bad acts bring condemnation and remorse. Both classes of emotions are produced by the exercise of the moral faculty; but in the one it is the moral faculty in its generic function; in the other it is the moral faculty in its distinctive and restricted office of the conscience.

Conscience is thus simply the reason,—the moral reason, if one prefers so to call it,—passing judgments on acts with distinct consciousness that the acts judged are one's own. It is the soul's inquisition with itself. It is an unappeasable demand of the rational being for self-judgment. It is the moral judiciary of the individual soul, the judge and the arraigned being

Difference  
between  
moral faculty  
and con-  
science.

Conscience  
the soul's  
moral  
judiciary.

one and the same person.<sup>1</sup> It is that rational power by which the soul, with inwardly responsive emotions, and in obedience to an inward and inexorable necessity, judges itself and its own acts the instant the character of itself and its acts is disclosed. The specific office of conscience is judicial, though its judgments are never unattended with emotions. It judges, not in its own light by rules which itself supplies, but in accordance with such light as the soul by use of its other powers has gathered around itself. Amid such light as surrounds it, the soul, by a necessity of its own nature, through its conscience judges itself and its acts.

§ 21. In treating of conscience, it is important that we not only consider it as a power for a special moral office, but that we also determine, with as much care and precision as possible, what its real office is, and then that we examine minutely into the nature and authority of its decisions. In this way shall we best be able to understand existing controversies and find our way amid divergent and conflicting views. No mental power can be rightly understood without considering it equally as an endowment, as performing a given office, and as yielding a given result; and the conscience, if we would rightly understand it, must be carefully scrutinized, first as an endowment; secondly, as performing a special office; and thirdly, as giving a special kind of judgments.

<sup>1</sup> Kant, in his *Metaphysic of Ethics*, Chap. III., Sec. 13, says: "Conscience must represent to itself always some one other than itself as JUDGE, unless it is to arrive at a contradiction with itself." Conscience in its judgments, of course, simply enforces law, or a supreme will which law enforces.

## CHAPTER II.

### ORIGIN OF THE CONSCIENCE.

§ 22. Is the conscience as a faculty an inborn, original endowment, or is it the result of experience? The question naturally subdivides itself into two others, viz.: First, is conscience in the individual inborn, or is it the product of training and experience? And secondly, was conscience originally in the race, or has it been evolved by hereditary transmission and accumulation of emotional experiences?

Is conscience  
inborn, or  
produced?

§ 23. I. Is conscience the product of individual training and experience? To this question sensationalist philosophers ("experientialists"), from Hartley down<sup>1</sup> till the announcement of the theory of evolution, replied in the affirmative. In answer to the question, however, it may be said, —

In the  
individual.

1. If any power or faculty of a rational being can be shown to be original, and not the product of experience or education, the conscience can.

As innate  
as reason.

To be a rational being at all is to be a moral being with a moral faculty. Reason does not more immediately and necessarily distinguish between the physical qualities of bodies, or the intellectual qualities of

<sup>1</sup> James Mill, J. S. Mill, Bain on *The Emotions and the Will*, Chap. XV.

minds and thoughts, than it does between the moral qualities of acts; and the physical qualities of things and intellectual qualities of persons are not more indubitably real than are the moral qualities of acts. If the reason be in any sense an original endowment, — experientialists prior to the theory of evolution admitted it to be inborn from the beginning of the race, — then the conscience must be innate, since it is but one and the same discriminating or rational power, and a power that is employed now upon objects with qualities purely physical or intellectual, and now upon objects with qualities strictly moral. And we are clearly conscious of distinct kinds of emotions according to the special objects with which our rational power is occupied; the emotions when the objects are moral being distinctively moral emotions, and recognized as such in consciousness.

2. Education, training, and experience can do no more and no less for the conscience than Can be educated. they can for any other faculty. The promptness, vigor, authority, and accuracy with which conscience acts will depend on the practice and training to which it has been subjected, but no amount of culture or experience can originate it, any more than they can originate the reason, the memory, or the will; or in fact than they can originate the rational being. The conscience, regarded as the soul's demand and capacity for moral distinctions, and for moral judgments with responsive emotions, is an integrant part of human nature as such, and is as universal as the human race.



3. The assumption that conscience is the product of education and training rests upon a confusion of ideas. It confounds the faculty of conscience with its products,—with its judgments and the resulting emotions. The same act may be regarded with dissimilar and even opposing judgments by two persons who have received dissimilar trainings. But it is the standards by which they judge, and not the faculty that judges, which their training has given them. When it is affirmed that because two children differently trained may regard the same act with opposite emotions, therefore conscience must be the work of education, it is evident that the faculty is confounded with its judgments and emotions. Misled by defective or false standards, that is, judging by mistaken laws of right, its judgments may be wholly false; but the faculty itself no amount of training, and no deficiency or falsity of standard, can ever give or utterly take away. There can be no emotion, call it by whatever name we will, without thought; and there can be no thought without a faculty for thinking.

Moral senti-  
ments con-  
founded  
with faculty.

Conscience in childhood, like all the other childish faculties, may act very imperfectly, and the products of the faculty, like other childish judgments, be defective and erroneous; but the conscience itself, like every other native endowment, is as clearly possessed by the child as by the adult. And the moral emotions of children, under instruction, are as vivid and strong, whatever the degree of truth in their standards of judgment, as are those of mature

Conscience  
in children.



age. Whatever may be the effect of education on the moral judgments, and so on the emotions or moral sentiments which the judgments awaken, the conscience itself is as clearly an original endowment as any other of the constituent principles of the personal being. But there are those who maintain that all human rationality,—including all that goes by the name of conscience and moral sentiments,—has been naturally evolved through the progressive experiences of mankind, and experiences that primarily were nothing but physical sensations.

§ 24. II. The next question then before us is, can conscience in the race be accounted for on the theory of evolution? Can it have been the product of social environment? Has it been created in man by the treatment which different kinds of acts have received from human society? Is it the accumulated result of the pleasurable and painful experiences of the race transmitted through an indefinite number of generations?

§ 25. 1. Affirmative answers to these several questions have been given on the basis of the theory that whatever distinguishes man from the lowest form of animal intelligence has been the natural product of mechanically acting and reacting forces. The human intelligence, and even that most distinguishing characteristic of man, consciousness, have been evolved, it is claimed, through excitation of a nervous system,—animal sensation has evolved into consciousness, and within the consciousness have been evolved by experience the moral sentiments,—what in other words is called conscience.

But to these answers there are various objections:

(a) If sensation, which is a product of some kind of physical force, has been evolved through physical experiences into consciousness, then consciousness is a physical effect; and a physical effect can be conscious of itself;

But consciousness cannot be a physical effect.

and consciousness ought to be spoken of in terms of mechanical philosophy. But between any form or effect of physical force and consciousness there is a difference which no rhetorical phrase can conceal, a chasm which no science has yet bridged.

(b) If, as evolutionists maintain, actions are to be regarded as good or bad according to their utility in producing pleasurable or painful feelings, and these feelings constitute the moral sentiments, and the moral sentiments are the conscience; then one of two conclusions follows: either the feelings are merely physical sensations mechanically produced,—in

Inconceivable how sensations can become sentiments; or emotions exist without judgments.

which case it is impossible to understand how physical sensations can properly be called sentiments at all, moral, unmoral, or immoral; or else the feelings must be emotions,—in which case it is difficult to understand or to conceive how there can be emotions without some kind of perceptive judgments; and least of all how there can be moral emotions without some kind of moral judgments, and a moral faculty that judges.

(c) But if we grant all that can be claimed for evolution as accounting for the moral sentiments, and grant that these sentiments constitute all that is called

conscience, it yet remains true that evolution can give no satisfactory account of the imperative tone, the unappealable authority, with which conscience always speaks.<sup>1</sup> Environments, which evolutionists make so much of an engendering moral sentiments, can awaken at the most only a prudential regard for consequences, prompting to such actions as on the whole it is believed will bring the largest amount of satisfaction, and dissuading from those that on the whole it is believed will bring more pain than pleasure. Prudence, which is merely cautious foresight, calculates and temporizes; conscience, whose distinctive function is to pronounce authoritative judgments on purposes and acts, is decisive, absolute, and unappealable. Painful experiences from environments may lead to the cultivation of a prudential care to avoid a repetition of the experiences, and pleasant experiences to the cultivation of a care to have them repeated. But the emotions springing from a perceived imprudence are very unlike those springing from a perceived violation of moral obligation. How a mere prudence, which may have been evolved from experience, is, or can be, transformed into a judicial faculty, from whose decisions there is no appeal, is not clear nor even conceivable.<sup>2</sup>

<sup>1</sup> Leslie Stephen, in his *Science of Ethics*, Chap. VIII. Sect. 54, says, "Conscience is the utterance of the public spirit of the race ordering us to obey the primary conditions of its welfare."

<sup>2</sup> "If you have nothing to work with but animal pleasures and pains, and unlimited time for their experience and transmission, you can never hope through all eternity to build up a conscience; or if you do, you build up what your data will not support, and you will have to let fall as an illusion. Inherited accumulation of experiences may account for an ever quicker and finer and larger sense of expediency, but for nothing else; as an infinitude of sand-

(d) But evolution, at its best, fails to account for the "moral" in its explanation of the origin of the moral sentiments. The sentiments, according to evolutionists, have been directly and efficiently caused<sup>1</sup> by the pleasurable and painful experiences of the race, — experiences that in themselves were strictly non-moral. But if the doctrine of causality be accepted, of course it must also be admitted that there can be no more in any effect than there was in its cause. And yet the smiles and frowns that begat the first pleasurable and painful experiences in the race were non-moral; and the acts upon which the smiles and frowns were first visited must, according to the evolution theory, have been non-moral. The treatment the acts received was not on account of any recognized moral element in them; that element is conceived to have been imparted by a treatment that was not only not moral, but may have been even immoral. How treatment that had no moral purpose in it could have awakened moral emotions, — could have implanted the moral sentiment, evolution does not and cannot explain.

The "moral" of moral sentiments unaccounted for.

§ 26. 2. In support of the theory of the evolution of the moral sentiment — the conscience — it has been suggested that fear, and the shame supposed to be exhibited by certain domestic animals, were either the

grains may make a shore, and an infinitude of drops a sea, but neither effect can take the place of the other. Add as long as you will, if the items of the sum are all prudences, the total will not come out as a duty." — JAS. MARTINEAU, *On the Relation between Ethics and Religion*.

<sup>1</sup> "The idea of cause will govern at the end as it has at the beginning. The idea of cause cannot be abolished except by the abolition of thought itself." — HERBERT SPENCER, *Reasons for Dissenting from the Philosophy of M. Comte*.



germs of what have evolved into the moral sentiment in man, or that the moral sentiment, the conscience of man, is only a special form either of fear or of shame, or of both. Thus a dog, it is said, when tempted to repeat an offence for which he has been beaten, betrays a feeling of fear or shame which in a man's breast, and with a man's environment, speedily develops into, or itself, in both dog and man, really is the moral sentiment. Let us inquire, then,

Has con-  
science been  
evolved from  
fear or  
shame?

*First.* Whether, granting that moral sentiment is all that can be meant by conscience, there is any good reason for regarding it as having been evolved from fear in a lower animal-stage of the race? When a higher organ or power is evolved from a lower, the lower, according to the evolution theory, either becomes abortive or is merged into the higher. But man has both fear and conscience. Fear in him is as strong as it is in any lower animal, if not stronger. But the germ cannot coexist with the matured product into which it is assumed to have been developed.

*Secondly.* Is conscience a special form of fear? Fear is a mere apprehension of danger, always ceasing with the known cessation of danger, and may be awakened by instinct, or by knowledge acquired through experience. But conscience judges neither by instinct nor by the knowledge of experience, but by recognized law. In fact, the emotions or awards of conscience are an essential part of the sanctions of moral law. Its awards are the complacent or displacent emotions that spring up at

Is conscience  
a species of  
fear?



once on perception of the agreement or disagreement of one's acts with the sacred authority of moral law. But the feeling of mere fear for offences is only the dread of penalty, and cares little or nothing for the authority of law whose penalty has been incurred. Thus one culprit may have great fear of the penalty of civil law or of society, and no compunction of conscience; another may have great compunction of conscience and no fear of penalty, civil or social. The pangs of conscience are not from fear of penalty, but are the essence of moral penalty itself, falling like a blight on the soul at sight of the violated authority and majesty of moral law, and of the infinite Lawgiver.

*Thirdly.* Can conscience have been evolved from the sense of shame? The external signs of shame in man are well understood. From similar signs the existence of shame in certain domestic animals, *e. g.* the dog and the horse, has been inferred, whence conscience may have been evolved. But conscience and the sense of shame co-exist in man, and though closely akin in nature are clearly and wholly distinct. Conscience cannot have been evolved from the sense of shame.

Was conscience evolved from shame?

*Fourthly.* Can conscience and shame be identified? The remorse of conscience and the feeling of shame undoubtedly both proceed from self-judgments. They may arise from one and the same act of self-judgment, and at one and the same instant. They also have many points of resemblance and affinity; but they never change from

Is conscience identical with shame?

one into the other; they never coalesce; and they never need be mistaken the one for the other. Remorse always has the moral element in it, and is the direct effect of a judgment of conscience on a perceived violation of moral obligation. The feeling of shame may or may not have the moral element in it, and proceeds from a self-judgment in view of a violated rule of propriety. Remorse springs from a felt injury to one's own character; shame, from a felt loss of reputation. Remorse is a feeling of guilt; shame, a feeling of disgrace. Remorse is the felt condemnation of self by self and by the Divine Being; shame, is the felt loss of the respect of self and of fellow-beings.

*Fifthly.* It should also be remembered that the judgments of conscience are complacential as well as displacential, while the emotions of the sense of both fear and shame correspond only to the displacential side of the moral judgments. In fact, it is through the complacential office of conscience that personal virtue is really built up; the displacential is not constructive, but only negative, deterrent, and punitive. By far the larger, and, in all character-building, the more effective portion of the moral judgments of every right-minded man are approbative rather than condemnatory. There is, therefore, no reason for regarding conscience as only a higher degree of shame, and no excuse whatever for confounding conscience with either shame or fear.

§ 27. But between the theory of an evolved conscience and the historical fact of a development of

Emotions of  
conscience  
both compla-  
cential and  
displacential.

moral ideas and of practical morality, there is, however, a wide difference. Evidence of the latter is by no means evidence of the former. Both individuals and races have often made great and rapid strides in the apprehension of moral obligations and in a correspondingly progressive conformity with the obligations. But progress in moral ideas and in practical morality cannot be shown to have evolved, in the sense of originating, either the power of moral discernment, or the power of moral decisions by which progress is made. A capacity for moral discernment must have existed before any moral ideas could have been discerned, and there must have been a capacity for moral improvement before the first step towards it could have been taken. Reactionary influence from the progressive action of any one of the human powers may serve to give it vigor and facility of action, but nothing more. As well might we maintain that the fruit of the vine proves the origination by evolution of the stock of the vine, as to maintain that the mental and moral products of man prove his mental or moral powers to have been originated by evolution. The experiences of men have doubtless clarified and widened their moral conceptions, thus inducing a progressive morality;<sup>1</sup> but the conscience of man has been just as quick in discerning obligations, and as decisive and authoritative in enforcing compliance with them, in the lower as in the more advanced stages of moral progress.

<sup>1</sup> Some little help towards understanding what is here meant may be found in a small prosy treatise entitled *Progressive Morality, An Essay in Ethics*, by Thomas Fowler, M. A., LL. D., T. S. A., President of Corpus Christi College, Wykeham Prof. of Logic in the University of Oxford.

## CHAPTER III.

### CONSCIENCE AND THE MORAL CONSCIOUSNESS

§ 28. IT is necessary that we here determine the relation and the difference between conscience and the moral consciousness. They are so uniformly coexistent, and so indivisibly united that they have sometimes been regarded as one and the same. Some living authors have maintained that conscience is only the moral consciousness.<sup>1</sup>

The two meanings now clearly expressed by the words conscience and consciousness were uniformly represented in all Latin literature, both classical and mediæval, by the single term *conscientia*; and in the languages of the peoples known as the Latin races the two meanings are still expressed by single words derived from *conscientia*. The Greeks also had but the one word *συνείδησις* for both meanings. This word frequently occurs in the New Testament Greek, some-

<sup>1</sup> This is affirmed by Prof. Lorimer of Edinburgh, in his *Institutes of Law*, p. 145. Ex-President Hopkins of Williams College says, in his *The Law of Love and Love as a Law*, Div. I. Chap. 12, "Conscience is the moral consciousness of man in view of his own actions as related to Moral Law." Mr. Martineau also repeatedly, both in his well-known review of Whewell's *Elements of Morality* and in his *Types of Ethical Theory*, speaks of "knowledge with ourselves" as "constituting conscience"; yet he also says that conscience "exercises simply a judicial function," and is at considerable pains to justify the propriety of calling conscience a faculty. See *Types*, Vol. II. pp. 11, 12.



times with one meaning and sometimes with the other, and sometimes with a shade of both, though uniformly rendered into English, in the old version and the revised, by the single word conscience. Most of the older English writers, notably Shakespæare, use the word conscience with both meanings.<sup>1</sup> It is only in comparatively later English literature that the distinction between conscience and consciousness is fully recognized and uniformly observed.

§ 29. The slow progress made in recognizing and verbally distinguishing different mental and moral perceptions and emotions is certainly not to be understood as evidence that the differences have not existed, and that the distinctions now made are only verbal and imaginary. Slow progress in distinguishing internal processes. Persistency in the study of self and increasing closeness of observation have detected what long escaped attention. The Jewish writers of the Old Testament used the vague terms "heart," "reins," and "inward parts," to denote the inner moral powers of the soul, but after centuries of progressive self-knowledge the apostles Peter and Paul, and the writer of the Epistle to the Hebrews, were enabled, under the light of Christianity and by help of the Alexandrian Greek, to use the more exact and incomparably clearer word *συνείδησις*. This

<sup>1</sup> In his *Winter's Tale*, III. 2, Shakespæare makes Hermione say to her husband Leontes, King of Sicilia, "I appeal to your own conscience," manifestly meaning his own consciousness. In *Timon*, II. 2, Timon is made to say to his steward Flavius,

"Canst thou the conscience lack  
To think I shall lack friends?"

here again manifestly meaning consciousness. Instances in which Shakespæare uses conscience as the self-judging faculty are too numerous and well known to need citation.

word seems to have been first used in Greek by a Stoic philosopher,<sup>1</sup> nearly two centuries before the Christian era, and a whole century after the founding of the Stoic school, but he used it only in the sense of consciousness, leaving no trace of his having used that or any other term in the sense of conscience. But when the Christian era began, both writers in Greek<sup>2</sup> at Alexandria and the Stoics<sup>3</sup> at Rome had come to recognize clearly the distinctive existence of conscience as well as of consciousness, though they had but a single word for both meanings, the connection alone showing in which it was used. The process has been long and slow through which we have come to the use of the two terms for the two meanings in English,<sup>4</sup> and

<sup>1</sup> Chrysippus, a fragment from whose writings, found in *Diogenes Laertius*, has been repeatedly cited by German authors who have written on the use of *συνείδησις* in Greek philosophy. See *Ueber den Begriff Gewissen in der griechischen Philosophie*, p. 11, von Dr. J. JAHNEL, Gymnasiallehrer zu Glatz. Also *Die Lehre von dem Gewissen*, p. 17, von Dr. RUDOLPH HOFMANN, Prof. zu Leipzig.

<sup>2</sup> Philo, an Alexandrian Jew and a voluminous philosophical writer, says: "Conscience is an incorruptible judge. . . . Who is there who does wrong who is not convicted by his own conscience as if he were in a court of justice, even though no man correct him?"—Vol. IV. pp. 243, 265, Bohn's ed. of Translat. of Philo's works.

<sup>3</sup> Seneca says: "Bona conscientia turbam advocat, mala etiam in solitudine anxia et sollicita est. Si honesta sunt quæ facis, omnes sciant; si turpia facis, quid refert neminem scire, cum tu scias? O te miserum, si contemnisti hunc testem."—*Ep.* 43. "Conscientia aliud agere non patitur ac subinde respondere ad se cogit."—*Ep.* 105.

<sup>4</sup> It would doubtless be a most interesting and profitable study to trace the process here referred to through Saxon, broken Saxon, and early English. In the *Ancren Riwe*, written in the thirteenth century, we have, according to the Camden Society's edition, the phrases, "kunsence of heorte" = consciousness of heart; and "veste of cleane inwit" = the repose of a pure conscience. How it should have happened that the significant word "inwit" should have disappeared and "kunsence" should have absorbed its meaning would be worth knowing, if it could be ascertained.

there is no excuse now for not continuing the use. The Germans above all other peoples seem to have early distinguished between the two meanings, expressing that of conscience by *Gewissen* and that of consciousness by *Bewusstsein*.

§ 30. The actual difference between the conscience and the moral consciousness is clearly marked, and, when conscience is viewed simply as a faculty, is not unlike the difference between reason and the intellectual consciousness. The intellectual consciousness is that condition of the mind without which there can be no cognition,—is that state of mind into which we are brought by exercise of our perceptive and cognitive powers,—is the knowing with ourselves that we know,—whenever we exercise our rational powers. So also the moral consciousness is that state of mind into which we are brought whenever we make moral distinctions,—whenever conscience pronounces moral judgments, *i. e.* whenever reason is dealing with moral questions. The moral consciousness is simply a state of mind that accompanies all moral perceptions and all moral judgments. It cannot exist without some kind of moral perceptions and judgments, and there can be no moral perceptions and judgments of which we are not conscious. But the conscience by which we judge, and the consciousness we have of the judgments with accompanying emotions, are too distinct to admit, without a protest, of their being confounded.

Real difference between conscience and consciousness.

Thus the emotions attendant on our moral judgments are always emotions of which we are conscious.

They are in fact only the existing states and modes of consciousness of which the moral judgments are the sufficient cause. When our moral judgments are on the acts and characters of others we are simply conscious of approval or of disapproval,—of satisfaction or disgust; when our judgments are on our own acts and on ourselves, we are distinctly conscious of complacency or of displacement,—of self-justification or of self-condemnation.

§ 31. Not to discriminate between the meanings of the terms conscience and moral consciousness is to involve one's self in obscurity, if not confusion, of thought; as much so, as not to discriminate in Psychology between the faculty of judgment and consciousness. Between a mental act and a consciousness of the act, and between a mental faculty and the consciousness that accompanies the exercise of the faculty, there is a distinction which clear thinking requires should not be overlooked; between conscience that judges self, and a consciousness of the judgments and their accompanying emotions, there is a distinction equally broad which clear thinking<sup>1</sup> will carefully observe.

<sup>1</sup> Janet in his *Theory of Morals*, which contains some excellent special discussions, has a chapter entitled The Moral Consciousness, which is devoted exclusively to a discussion of conscience and the authority of its judgments. There is accordingly a vagueness of purpose in parts of the discussion which is all the more perplexing because occurring in the midst of much that is luminous and conclusive. Dr. Porter (*Elements of Moral Science*, p. 244), in giving a reason why the term conscience is "accepted" as "the appropriate designation of the moral nature, wholly or in part," represents conscience as "consciousness intensified into reflection." The meaning of this is not very clear.



## CHAPTER IV.

### THE MORAL TASTE AND CONSCIENCE.

§ 32. THE relation of the moral taste to conscience has not always been kept clearly in mind in ethical discussions. Conceptions of this relation are in our day too cloudy, and differ with different writers. A brief consideration of it at this point may possibly be of service in saving from subsequent obscurity of thought.<sup>1</sup> It may be well to consider,

Relation of  
moral taste  
to con-  
science.

§ 33. *First*, what the moral taste really is. In general, it may be said to be a special mode of sensibility in relation to moral objects; a settled condition of the susceptibilities that responds to the presentation of its appropriate moral objects. He in whom the condition exists is made aware of its existence by a special class of feelings, the emotions of the moral taste. The taste is much more a matter of feeling—of liking and disliking—than of consciously discriminating perceptions.

Moral taste  
defined.

The chief source of error in respect to the moral taste is in not sufficiently distinguishing between it and the moral sentiment. This latter is the product of

<sup>1</sup> The evolutionist explanations of the generation and growth of the moral feelings or sentiments are very largely, sometimes almost entirely, explanations of the education and growth of the moral taste.

repeated moral discriminations and formal judgments ; but the moral taste may be, and most commonly is, the result of a blind surrender to spontaneous likes and dislikes. To identify it with the moral sentiment, or to regard the moral sentiment as a compound of which the moral taste is a chief ingredient, is to confound a state of the sensibilities that has been actively and consciously produced with one that, springing unconsciously into being from spontaneous impulses, has been nurtured into power only by example, by associations, and by surrender to its control.

§ 34. 2. Connection of conscience with cultivation of the moral taste. The origin of the taste may be in certain constitutional and perhaps hereditary predispositions, but as a definite and fixed condition of the moral sensitivity it is the result of experience, and is acquired. Continued play of the sensibility on given classes of objects is sure to result in settled moral tastes. A depraved taste is bred by unchecked and uncondemned familiarity with immoral persons or with immoral objects of thought. A pure and refined moral taste is acquired by association with persons whose tastes are pure and refined, and by familiarity with thoughts and acts that are pure and refining. Nothing so speedily and effectually corrects a depraved moral taste as giving heed to the condemning judgments of an enlightened conscience ; and nothing so surely and completely establishes a right moral taste as a sincere regard for the approving awards of conscience. The taste thrives on

what gratifies it, and if the objects that gratify are base and sensual, nothing can prevent final self-accusings; if the objects are grounded in eternal right, — are such as an enlightened conscience can always approve, — the taste will strengthen with one's years and be a source of unending and unmingled delight.

The real connection of conscience with the cultivation of the moral taste may be illustrated by the parallel connection of the critical judgments with the cultivation of the purely æsthetic taste. The æsthetic taste is created and

The æsthetic  
taste and the  
moral taste.

cultivated by contemplation of objects of beauty in nature and art. A correct æsthetic taste is acquired by exercise of the critical faculty, under guidance of correct principles, in judgments on works of nature and art; and a correct moral taste may be acquired under guidance of moral truth — of true moral law — and in obedience to the monitions of conscience. But there is this marked difference between the cultivation of the æsthetic taste and the moral taste. The emotions of the æsthetic taste are always at one and identical with the emotions of the critical judgments. One's æsthetic taste can never be gratified by what his critical judgment condemns. He can never really like a picture, statue, or poem which his critical faculty pronounces faulty. But the emotions of one's moral taste may, or may not, agree with the emotions of his moral judgment. He may find great satisfaction in an act which his conscience condemns, and may greatly dislike another act which his conscience approves and enjoins. His moral taste will agree or disagree with

his moral judgments just in proportion to the ascendancy which his conscience may, or may not, have acquired over his sensibilities and his moral affections. He who always obeys the dictates of his conscience will find in due time that the emotions of his moral judgments and of his moral tastes will harmonize and blend.

§ 35. 3. Amenableness of the moral taste to the conscience. The moral taste acts spontaneously on presentation of objects fitted to call it into exercise. As spontaneous, it would at first thought seem to be neither praiseworthy nor blameworthy. But a fixed taste has always to be acquired; is acquired after many and persistent volitions, by repeated acts of voluntary attention to objects by which the taste is gratified and matured. On these objects conscience pronounces its judgments of approval or of disapproval, and on the tastes acquired by the objects, and for them, corresponding judgments will always be passed. And even on the emotions of the taste,—the special feelings of pleasure or disgust, that are the very essence of the taste, similar judgments, in all enlightened minds, are sure to fall. A man will approve himself for liking what he sees to be right, and condemn himself for liking what he sees to be wrong; and will even condemn himself for not liking the right and for not disliking the wrong. The struggle of a conscientious man with a corrupt taste which has long ruled him may be desperate and protracted, but persisted in, the victory though long delayed is sure to come.

Accounta-  
bility for  
moral taste.



§ 36. 4. Correctness of the moral taste as related to conscience. It is by no means certain that one's moral taste is correct because approved by his conscience; or that it is the reverse of correct because disapproved. The moral taste is cultivated by objects with moral qualities. But the qualities may be misjudged; the bad may be approved and the good condemned. It is possible, therefore, for a corrupt moral taste to have the approbation of conscience, and a pure taste to be condemned. The taste will be rightly judged if the objects that gratify or offend it are rightly judged. And one's moral taste will be finally correct in exact proportion, first to the degree of agreement of his moral judgments with truth and reality, and secondly to the degree of control which his moral judgments have acquired over his moral feelings. Thus, from ill-breeding and low associations one may have become accustomed to indulge himself in irritating as well as coarse and vulgar language, and from a false sense of fitness may plume himself on what he mistakenly calls his frankness and plainness of speech. An amendment of manners will ensue only when an enlightened conscience shall condemn him for a violation of moral obligations as well as of moral proprieties.

Correctness  
of moral  
taste as  
related to  
conscience.

## CHAPTER V.

### CONCLUSIONS RESPECTING CONSCIENCE AS A FACULTY.

§ 37. IF the account we have given of conscience as  
a faculty be a true one, then certain con-  
clusions follow which may be summarized  
as follows:

1. Conscience is an original endowment of human nature,—is an essential and constitutive part of personal being,—is the whole rational power of a person pronouncing moral judgments and awakening moral emotions; and, like every native power of man, it can be fully understood and explained only by reference to the nature of the objects on which it is exercised, and to the feelings by which its exercise is always accompanied.

2. The difference in the emotions attendant on the moral judgments and on the purely intellectual judgments is due, not to any difference in the faculties pronouncing the judgments, but to differences in the objects judged, and in the susceptibilities of our nature to which the objects stand related. Thus principles in philosophy, or facts in science and in history, will give us certain classes of intellectual emotions according to our judgments of them, and will give us these emotions simply

Conscience a  
constitutive  
part of per-  
sonal being.

Difference  
between in-  
tellectual  
and moral  
judgments.

because as intellectual beings we are so constituted as to be so affected. In like manner a moral judgment on a moral principle, or on an act clearly recognized as right or wrong, or on a character recognized as morally good or bad, gives us pleasurable or painful emotions because as moral beings we are so constituted as to be thus affected.

3. From what has gone before it is evident that the term conscience is with strict propriety used to denote only the moral faculty in its distinctive function of judging its possessor and his own acts.

*Distinctive  
function of  
conscience.*

4. The difference in the emotions awakened by a judgment of self and a judgment of others is not a difference in degree, neither is it wholly a difference in kind. The acts of others, casually regarded, may awaken in us simply feelings of pleasure or disgust, according as they gratify or offend our moral tastes; but if regarded with a view to any decision on them as good or bad, the emotions ensuing will not be wholly unlike those attendant on self-judgments. Both are emotions within the moral consciousness. But in judging others, the judgment is consciously pronounced with a disposition to approve or condemn, as the case may require. In judging self, the judgment is both consciously pronounced and actually, though involuntarily, executed in the accompanying emotions. The complacency or the compunction, the alternative issues of all self-judgments, together constitute that distinctive form of the moral consciousness known as emotions of conscience, and are in fact the only real moral sentiments.

*Different  
emotions in  
judging self  
and others.*

5. We must also conclude from what has gone before, that the partnership and participation implied by the preposition *con* in the composition of the word conscience (*conscientia*) is of the individual with himself, and not, as some have maintained, of the individual with Deity.<sup>1</sup>

Nothing in the origin of the word gives the slightest evidence of any intention to recognize a divine participation in human self-judgments. The earlier Stoics, with whom the word originated, furnish no ground in anything they taught for supposing they had any such conception of the relations of the divine with the human. The truth seems rather to be that as in every instant of consciousness self objectifies and communes with self, so in every act of self-judgment there is the accompanying consciousness that the person judged is one's self; acts of conscience are simply the saying to and with ourselves that we have fulfilled or violated certain distinctly recognized moral obligations.

6. Conscience and the moral consciousness, which so many writers seem disposed to identify, are as distinguishable and distinct as any faculty or power of the soul can be distinct from consciousness. Mental action and consciousness of the action always coexist, but are in no sense identical, and cannot be spoken of as such without confusion of thought. The conscience is the soul's capacity for judging itself; the moral consciousness is that state into which the mind is brought

<sup>1</sup> See TRENCH, *On the Study of Words*; and MARTENSEN, *Dogmatics*, § 5.



whenever it is occupied with moral subjects, whether the subjects be the conduct and character of others or of one's self. A mental state can never exercise a function; it is only the invariable accompaniment of a function.

7. The use of the phrase moral sentiment to denote the conscience is as erroneous as would be the use of the word sensibility to denote the understanding, or of the words feelings and emotions to denote the cognitive and the judging powers of the mind. It is to substitute an effect for its cause; it is to put a passive affection in the place of an active power.

Misuse of  
the phrase  
moral senti-  
ment.

8. The moral sentiment, which evolutionists claim to explain the origin of, and which they insist covers all that can justly be meant by the phrase moral faculty, is much more akin to the moral taste than it is to the emotions that always accompany moral judgments, and which alone can be properly called moral sentiments. The shock that comes to one's moral taste from a criminal act which he has seen in another or read of is a very different emotion from the sentiment of remorse accompanying a judgment on the same act in himself. The likings and dislikings of the moral taste find little mercy at the hands of conscience, which can never be bribed to do otherwise than to pronounce sentence according to law.

Evolutional  
moral sen-  
timent is  
moral taste.

## CHAPTER VI.

### THE FUNCTION OF CONSCIENCE.

§ 38. IT is the function of conscience as the soul's judiciary to decide for it every question of personal right and wrong. In its decisions, the sense of self-approval is as clear in the breast of the consciously innocent as is that of self-condemnation in the breast of the consciously guilty. The exact function of conscience will be made more apparent by noticing,

§ 39. I. Negatively, certain offices sometimes ascribed to it which it manifestly does not fulfil. Accounts are sometimes given of its office which seem to make it comprehensive of every mental function that is in any way connected with moral reflections and decisions; which in fact, seem to identify it with the whole moral nature of man. Let us then observe that,

1. It is no part of the office of conscience to forecast the future,—to foresee danger,—to forewarn against temptation. The mind apprehends moral risk and anticipates moral peril just as it apprehends or anticipates whatever else is contingent and uncertain. And the moral feelings accompanying apprehension of moral danger, however they may

Does not  
forewarn.

affect the moral consciousness, are not emotions of conscience.

2. It is not its office to pronounce judgment on conjectural acts, or on acts contemplated as dependent on untried and contingent circumstances. Acts in imaginary circumstances can easily be pictured to the mind, and moral estimates formed of them, and decisions made about them as good, bad, or indifferent; and yet one's conscience have nothing whatever to do with either process. Itself can pronounce judgment on no act till the act has at least taken the form of a clearly defined purpose.

Does not  
judge con-  
jectural and  
contingent  
acts.

3. It is no part of the office of conscience to settle questions of casuistry, — to determine the right or the wrong of acts in unfamiliar or unknown relations, whether they be simply acts in contemplation, or complex and unanalyzed acts already performed. The moral quality or qualities of an act are admitted to be found only in the purpose for which it is done. The motive may have been one, and in itself simple; it may have been one, but complex; or there may have been several motives, each of which was complex and composed of diverse ingredients. But to ascertain the component parts of one's purpose or purposes may require rigid self-scrutiny and careful analysis; but to participate in the scrutiny and analysis is no part of the function of conscience. When, however, the inner spirit and purpose of one's act are disclosed, and the moral laws fulfilled or broken by the act are clearly shown, con-

Does not  
settle ques-  
tions of cas-  
uistry.

science performs at once and with authority its function of judging the right or the wrong of purpose, act, and self that has acted.

4. To furnish laws for its own judgments is not an office of conscience. It can neither supply nor set aside, neither enact nor annul, moral laws. Does not furnish laws for its own judgments. If there comes before one for judgment some act for which he has no criterion — no law or rule that is applicable — it is not the function of his conscience to furnish one; or if there come before him an act against which he has often decided by a law whose authority has now become doubtful to him, it is not the prerogative of his conscience either to vindicate the law or to set it aside. The function of conscience is not legislative but judicial; and it cannot judge without law which the united powers of the whole personal being have accepted as authoritative.

5. Conscience cannot determine for any one the genuineness, or the authenticity, or the justice, of a moral law that is for the first time announced to him. Cannot decide the genuineness or justice of a new law. When such a law comes, the mind instinctively — by necessity of its own nature — summons in council the whole circle of its discriminating powers, reason, memory, and imagination for an examination of its credentials.<sup>1</sup> These

<sup>1</sup> How moral laws are revealed and authenticated to individuals will engage our attention further on. Dr. Porter, in his *Elements of Moral Science*, p. 149, says: "That man should be able to find the norm of his activity in himself follows from his being self-conscious and rational. As self-conscious he understands the relative excellence of the impulses which his nature provides for, and the supreme end to which his nature points. As rational and capable of self-direction, he must propose to himself the best as the norm or aim of his impulses whenever these are made voluntary, and must invariably impose this on his will as its law."



satisfactorily determined, and the law accepted, the moral consciousness responds at once to its authority. The law is thenceforward written on the heart and is applied as a rule of conduct. So long as kept by memory in consciousness it will be so applied. But the office of consciousness in furnishing the law which the whole soul has previously accepted, and according to which judgment is rendered, is not to be confounded with the judicial function of the power by which the law is applied in judgment.<sup>1</sup>

By thus determining what does not properly belong to the function of conscience we are brought naturally and necessarily to a positive statement of,

§ 40. II. The real function of conscience. Real function  
of conscience.  
The simple facts in respect to its real functions are as follows:

1. Its judgments are always the expression of a sense of obligation as enforced by recognized moral law. Without law conscience is dumb. In the presence of a law that is uncertain, or Simply en-  
forces moral  
law. apparently in conflict with some other that is well known and accepted, it still is silent. When the authority of all moral precepts is discarded then all moral judgments cease:

“And the state of man  
Like to a little kingdom, suffers then  
The nature of an insurrection.”

Hence the disaster—the upheaval and overthrow

<sup>1</sup> It would not be difficult to cite from writers on Ethics instances in which the several offices here denied to conscience have been either implicitly or explicitly ascribed to it.

that comes to individuals and nations alike when faith in moral obligations is lost.

2. Its decisions are always in accordance with what the whole mind has been constrained to accept as authoritative law. The law may have been given in some intuitively apprehended principle; or in some dogmatic instruction accepted as authoritative; or it may have been learned by personal inquiry, observation, and experience; or it may have been discovered in some individual example and generalized in thought into a universal rule. But by some method, and through some kind of revelation, the law must have become known and been thoroughly assented to, and must be clearly in consciousness at the moment of judgment, or no decision can be rendered.

3. All men necessarily acknowledge some kind of moral laws, and in accordance with them pronounce some kind of judgments on themselves and their acts; *i. e.* the conscience of every man, after some fashion and with some degree of accuracy, performs its function. And there is no good reason to doubt that mankind as a whole are so constituted that they cannot fail to have some real knowledge of moral law,—that they cannot be brought as they are into correlation with innumerable sources of moral knowledge, and not discern some of the immutable moral laws that bind them into relation with the rest of the moral universe. The laws thus learned and recognized as authoritative their consciences will apply to their moral conduct. As

the mind cannot but perceive what is distinctly presented to it; nor the cognitive faculty but distinguish between objects that differ; nor the consciousness but report what is in it; nor the will but choose between alternatives; so the conscience cannot but apply to the conduct of its possessor such moral laws as the mind may be acquainted with.

4. The certainty and necessity with which the function of conscience is performed do not always and necessarily insure accuracy of judgments. The moral perceptions are so liable from various causes to be obscured; the dogmatic instructions to be erroneous; the inquiries at the wrong sources; the supposed intuitions to be mistakes, that the knowledge of moral laws may be greatly defective, and the decisions very wide from the right. The function of conscience is nevertheless just as real, and just as necessary and trustworthy, as is that of reason in any of its manifold offices; both judge according to the light they have, and both may follow a light that misleads.

*Necessity  
of function  
does not in-  
sure accurate  
judgments.*

5. The accuracy with which conscience performs its function depends on the accuracy with which the other mental functions have been performed. If ignorance, prejudice, superstition, fanaticism, bigotry, vice, obscure one's perception of the laws under which he exists, his conscience will perform its function with an imperfection strictly proportionate to the obscurity of his moral perceptions; and if the obscurity is due to wilful neglect, conscience sooner or later will inflict

*Accuracy  
dependent on  
other mental  
functions.*

its penalty for the negligence. The natural and necessary sequences of the violation of the laws of the moral being are certain in due time to reveal themselves; and these consequences setting the laws violated directly before the conscience will elicit its condemnation.

6. The promptness and vigor with which the function of conscience is performed depends largely on the attention paid to its deliverances,—on the promptness and fidelity with which its behests are complied with. Every faculty acquires facility as well as vigor and accuracy of action, in proportion to the frequency of its use and the freedom with which it acts. But it is equally a law of every faculty that facility, vigor, and freedom of action are promoted or hindered by the reactionary influence of the respect paid to its products. Reason is quickened in its exercise by the regard shown for its decisions; imagination is invigorated by the pleasure taken in its creations; and memory becomes tenacious in its hold and prompt in its action in proportion to the gratification derived from the fulfilment of its office; and in like manner conscience becomes prompt, decisive, and accurate in its action in proportion to the heed given to its decisions. The highest manhood has its roots in the strictest conscientiousness.



## CHAPTER VII.

### THE ACTUAL JUDGMENTS OF CONSCIENCE.

§ 41. THE judgments of conscience are always definite approvals or disapprovals of self, and never fail to be accompanied with emotions of pleasure or pain. In respect to these judgments it should be remembered that:

Formal self-judgments.

1. They always express the conviction that we have either fulfilled or violated moral obligations, and are presumptive evidence of personal innocence or guilt. The emotions engendered by the convictions are natural results, and may be regarded as part of the natural sanctions of moral law.

Presumptive evidence of innocence or guilt.

2. Though the judgments are on occasion just as decisively complacential as on occasion they are displacential, yet habitual right acts, spontaneously done, do not commonly come before the mind for moral inquisition, and so elicit no formal judgments; but when from any cause they become objects of inquiry and are approved, the sense of approval is as unmistakable as would be a sense of their condemnation.

Complacential judgments but slightly noticed.

3. The claim, therefore, sometimes made, that moral judgments and a conscience to render them are found

only in the fallen and guilty, and can have no place in a perfect nature, is wholly without ground. It is impossible to conceive a moral being capable of choosing between moral ends who should not also be capable of approving his own right choices as well as of condemning his wrong ones.

4. Nor need we be perplexed by the fewness of terms that in popular language are antithetic to the words "compunction," "remorse," "stings of conscience," and the like. Right doing has no claim to praise or reward. He who does his duty does no more than is rightfully expected of him. The infrequent use of explicit popular terms denoting the rewardful office of conscience in comparison with the numerous terms expressive of the punitive function is therefore natural and to be expected.

In order to a more full understanding of the moral self-judgments it will be necessary to consider:

1. Their rightness and justness; 2. Their relation to other mental processes and products; 3. Their supreme authority, with the objections alleged against it.

#### SECTION I. — *Rightness and Justness of our Moral Self-judgments.*

§ 42. In endeavoring to determine to what extent self-judgments may be just and right it should be remembered that:

1. They are always the exact measure of one's apprehension of moral obligation. If his apprehension be absolutely true, his judgments will be absolutely and irreversibly just.

2. They may not always at the first accord with the natural rewards and penalties, *i. e.* with the necessary sequences of right and wrong doing as reported in one's moral nature. These natural sequences are the law's immutable sanctions, and are one and identical with the eternal judgments of the infinite Lawgiver. Whether the natural sanctions of moral law and the judgments of one's conscience will finally agree or not, will depend entirely on the truth or error of his apprehension of moral law.

May not accord with natural sanctions.

3. Though from lack of enlightenment one's self-judgments may only proximately correspond to the actual sanctions of moral law, yet it is hardly possible that in civilized communities they should be utterly at fault. There will most commonly, if not always, be sufficient apprehension of moral obligation to prevent a complete antagonism between the awards of conscience and the natural sanctions. Indeed, an act may be performed and approved by conscience which under other and due enlightenment conscience would condemn as a crime, and yet a complete antagonism between the awards of conscience and the natural sequences of the act not exist. For example, a mother might religiously sacrifice her child to her deity; the act in itself would be criminal, and in its effects injurious to her moral nature; but in so far as the act was from a sense of duty though mistaken, and had the sanction of her conscience, the natural injury from the act would be counteracted by the

Self-judgments and natural sanctions not wholly antagonistic.

quickenings and sustaining sense of having done her duty in obeying the supreme authority supposed to have enjoined it.

4. If the rightness and justness of one's self-judgments depend on the degree of his enlightenment, and the degree of his enlightenment on the use he has made of his opportunities and his powers, then no guaranty for the accuracy of his judgments is to be found either in the rapidity or in the emphasis with which they are rendered, or in the readiness or hearty sincerity with which they are accepted. In the application of a supposed law with which one has become familiar, the decisions of conscience may be rendered with the quickness of thought,—may come with the emphasis of a supreme authority and be accepted with the profoundest reverence; but neither promptness of decision, nor assurance of right, nor sincerity of purpose can be accepted as decisive evidence that we are really in the right. Indispensable as sincerity is to all right action, no amount of it can serve as a guaranty that the action is not in itself wrong. Conscientiousness is a chief element in the highest style of character, but it is only one element among others; no degree of itself alone can secure to character a harmony of attributes.

5. Final self-judgments cannot, however, under due enlightenment, fail to accord with the natural sanctions of moral law. If in our acts we have knowingly obeyed the right, our final judgments will give emphasis to the naturally beneficent results of obedience. If we have

**Rapidity and emphasis of self-judgments no guaranty of rightness.**

**Final self-judgments agree with natural penalty.**



ignorantly erred, a remembrance of our ignorance will mollify our self-judgments, but will not prevent natural penalty; the justice of the penalty will be recognized and heightened in proportion to our consciousness of responsibility for the ignorance. If we have knowingly disobeyed, conscience will intensify the natural penalty by its compunctions. The ignorantly disobedient will be beaten with few stripes; the wilfully disobedient with many.

SECTION II. — *Relation of Self-judgments to other Mental Acts.*

§ 43. Self-judgments are not isolated mental acts, but stand related to others, some of which precede and others follow. A glance at this relation will throw some light on the nature and significance of the judgments themselves.

1. Self-judgments can never vary from what the undivided powers of the soul have certified to without reservation as moral law. Behind this certification conscience has no power to go; and in the presence of laws thus certified to, is absolutely compelled to pronounce judgment in accordance with them.

2. The actual deliverances of conscience are always independent of the direct control of every other faculty of the soul, as well as of every impulse, appetite, or desire. The will has no power whatever to dictate or to modify self-judgments. Appetites and uncurbed desires may have been allowed to get control of the will,—may have con-

Self-judgments and other mental acts.

Cannot vary from accepted moral laws.

Independent of will, appetite, and desire.

strained it to do despite to the decisions of conscience, and so for a time by reaction may lessen the emphasis with which self-judgments are pronounced; but appetites and desires cannot exterminate conscience nor utterly hush its voice. Its judgments that are overridden to-day are repeated with avenging emphasis to-morrow.

3. Self-judgments, on the other hand, have no direct power over the will. They simply affirm obligation and duty, and thus, through the moral emotions **Cannot control the will.** which they awaken, supply one of the restraining or quickening impulses which help to give direction to the will, but nothing more. If obligation has been fulfilled, self-approval contributes towards a continuance of fulfilment; if violated, self-condemnation for the wrong inflicts a judicial penalty that dissuades from a repetition of the wrong, but nothing more. The right and the might of conscience are not commensurate.<sup>1</sup>

4. The judgments of conscience above the products of every other power of the soul are essential to the **Essential to symmetry of character.** formation of symmetry of character. Every power of the human soul has its office, and every one contributes to the making up of the personal character. The effects of the moral judgments on the sensibilities and thus on the making up of the character differ widely from those of the other judgments, such as the scientific, the philosophical,

<sup>1</sup> Bishop Butler, in his second sermon on Human Nature, says of conscience, "Had it strength, as it has right; had it power, as it has manifest authority, it would absolutely govern the world."

the logical, and the æsthetic. This difference is due, as we have already seen, primarily to differences in the qualities of the objects judged, but also, and perhaps chiefly, to the clearly different capacities of the complex nature of man. Thus man is capable of discriminating between objects of sense and of forming scientific judgments; of discerning the relation of ideas and of principles to one another, *i. e.* of forming philosophical judgments; of perceiving the relations of formal propositions to one another, and so of exercising the logical faculty; of appreciating the relation of parts to a whole or the proportions of things, and so of exercising the æsthetic faculty. From each of these classes of discernments and discriminative judgments, man is capable of receiving a distinct class of emotions, the residuum of which form in due time what may be called the substratum of the personal character. An undue cultivation of any one susceptibility or capacity ends in a distorted character. A symmetrical character is the product of a harmonious and proportionate cultivation of each and all of one's powers. But inasmuch as the moral is the most fundamental part of man's nature, and the authority of conscience is the highest the soul knows, it is only by obedience to its authority that complete harmony in the working of all the powers of the soul is possible, and complete symmetry of character is attainable.

SECTION III.—*Supreme Authority of Conscience.*

§ 44. If conscience may sometimes err, is it always safe to follow its decisions? It certainly is always safe

to regard that authority as supreme behind which it is impossible to discern a higher. Authority of conscience supreme.

To show that there is none higher for any one than his own conscience, let us consider (1) what can be said in support of its supremacy; and (2) what can be alleged against it.

1. That one's moral self-judgments should for himself be regarded as supreme in authority is evident from the following considerations:

1. From the relation of conscience to the other regulative and directive powers of the soul, *i.e.* from the relation of self-judgments to other judgments. As the soul's moral judiciary, conscience alone of all the directive powers possesses the prerogative of enforcing what all the other powers have unitedly accepted

as unquestionable moral obligation. Speaking figuratively, if the regulative and directive powers be regarded as an aristocracy among the soul's active powers, conscience manifestly stands at the head of all, and gives the final and decisive utterance when all have spoken. If the powers be regarded as a council in common, it is a council over which conscience presides, judging at the conclusion of deliberations strictly according to what all have alike accepted as moral law, arraigning each and every other power, the personality itself as a totality of powers, for any infidelity in the



discharge of its function ; and arraigning at a bar from which there can be no appeal. Or to speak literally, moral self-judgments are always last in a series of precedent judgments ; and are simply applications to conduct and character of such tests as the preceding judgments have confirmed the mind in regarding as indubitably binding rules of life.

If conscience thus simply enforces what the whole mind has accepted as law, then conscience simply expresses the highest authority the soul can know. Its decisions in given cases may be erroneous, but its errors invalidate the authority neither of conscience nor of its judgments, but only of the supposed laws according to which its judgments are rendered. One may be induced to discard a long recognized rule of life, and to accept a widely different one ; he may do this repeatedly, and the decisions of his conscience vary accordingly ; but whatever the changes in its decisions, its authority remains intact through them all.

2. A second consideration is the relation of moral law to moral truth. A law to be regarded as imperative must also be seen to be the mandatory declaration of an indubitable truth. A real moral law is only a moral truth reduced to preceptive form. This preceptive form is, in its own nature, like the truth it formulates, of absolute authority. The very conception of authority as contrary to truth, or as superior to it, is subversive of the foundation of right and justice, and consequently of all obligation. Moral self-judgments, therefore, which are

From relation of moral law to moral truth.

always according to one's apprehension of truth and law, must also always be to the individual his supreme authority.

3. Conscience is the crowning faculty of man, and constitutes his chief distinction from the lower animals. It lifts him above the mere animal in proportion as its supremacy is maintained. Its decisions, if intelligent and complied with, secure to the individual the highest manhood that his enlightenment permits. Not to recognize the authority of its decisions as supreme is to introduce discord and anarchy among the soul's powers, overthrowing the authority of all and insuring in the end deformity of character, if not utter destruction of all personal virtue.

4. If the supreme authority of conscience be set aside, no other authority can be made to take its place.

No other authority can be supreme. No other, nor all other powers of the mind, can enforce order among the warring elements of the soul. No external authority, whether of the parent, the state, the philosopher, the priest, the Bible, or experience and utility, can ever reach the ruling power of the soul. Without personal conviction of duty, which it is the sole prerogative of the self-judging faculty to enforce, all constraining power must forever remain external and ineffectual. Conscience alone has power to penetrate to the centre of the soul and establish there a throne which nothing can overturn. Hence the futility of all religious persecutions, and of all attempts to control the inner convictions by force,

5. To deny the supreme authority of conscience is to deny the possibility of religion and to withdraw from morality its essential principle. Religion, in any light in which it can be viewed, is the expression of a sense of obligation. This sense, as well as the expression of it, will exist or disappear with the existence or disappearance of a recognition of the supreme authority of conscience. The essence of morality is in a loving, unbought compliance with the immutable requirements of ethical truth; and there will be compliance only as there is a recognition of the supreme authority of moral truth and of the moral judgments based on truth. All other inducements to compliance can serve but as cheap bribes; the result can be nothing more than counterfeit morality.

Religion and  
morality de-  
pendent on  
its supreme  
authority.

6. The happiness of man depends on his recognition of this supreme authority. Happiness, which should be distinguished from mere pleasure, consists in a rational self-approbation; and the essence of all unhappiness is in a conscious self-disapprobation. Perfect happiness is always coincident with fulfilment of all known duties. But the self-judging faculty, whether we will or not, is, and to every one must ever continue to be, the absolute arbiter of his duty. And since as a faculty it cannot be exterminated, nor its voice utterly hushed, a recognition of its supreme authority is evidently indispensable to the happiness of its possessor. To obey it implicitly and always, is to secure to one's self the controlling element of happiness; but to set aside

Personal  
happiness  
dependent  
on it.

its authority is, from lack of anything to take its place, to insure an ultimate moral chaos and despair.

§ 45. II. The rightful supremacy of conscience has been denied on three grounds, viz. the fallibility of its decisions; abuse of its authority; and the annoyance which an assertion of its supremacy often occasions in society, the state, and the church. To these objections it may be replied:

1. Fallibility of one's moral self-judgments is no valid objection to their supreme authority over him. No power of the soul, however faultless in its function, is perfect in its products. As before shown, conscience does not provide the law of right, absolute or relative, but simply enforces what the whole mind has accepted as law. The responsibility for error, wherever it may lie, whether in education, in misuse of powers and opportunities, or in perversity of will, or in vicious habit, does not lie in conscience. Itself is infallible in its action, however erroneous may be the law according to which it judges; and to the individual in whom it speaks as supreme among his faculties, it must ever remain his only authoritative guide.

2. The doctrine of the supreme authority of conscience may be grossly misused, both intentionally and unintentionally. Intentionally when thrust forward in defence of conduct which is prompted, not by conviction, but by self-interest; unintentionally when one persists in what an enlightened conscience would not require. Thus

Denial of its  
supreme  
authority.

Not invali-  
dated by  
fallibility;

Nor by mis-  
use;



in the latter case a man with limited moral knowledge may have stringent convictions that hold him to belittling views of life. He knows that multitudes of others his equals, perhaps superiors, in intelligence, have, under a different enlightenment, conscientious convictions directly the reverse of his own. But because his own agree with his fixed moral tastes, assuming himself to be absolutely right, and shielding himself behind the sacred authority of conscience, he refuses attention to whatever would bring additional knowledge, and so a modification of convictions. Manifestly it is for his prejudices rather than for his convictions that he claims the right of supremacy. And if on subsequent enlightenment his prejudices are overthrown, his conscience will condemn him for misuse of its prerogative. But his misuse gives no one else a warrant to trample on its authority or to do despite to his convictions.

3. Again, an extremely conscientious man may have convictions entirely at variance with the convictions of others with whom he is associated in society, in the state, or in the church; and under plea of the sacred rights and the supreme authority of his personal convictions may make himself offensive and extremely troublesome. And so long as his convictions are not inconsistent with the existence of society, of the state or of the church, nor with the ends for which these exist, his scruples, so far as his personal actions are concerned, cannot with justice or with impunity be trampled on, nor the authority of his personal convic-

Nor by troublesomeness in society, state or church.

tions be overridden. But society, the state, and the church are at liberty, and even under obligation, to use all due means for the enlightenment of their members; and to require that individual convictions and conduct shall not be at variance with the ends for which society, state, and church severally exist. Just how far the state should tolerate within its jurisdiction the dissemination of sentiments which, though held and propagated on the authority of conscience, would if prevalent overthrow the state and revolutionize society is a question not easily settled, but is a question which in a free Republic may any day assume proportions of vital concern. The greatest promise of safety, so far as the state is concerned, is doubtless in a recognition of the sacred and inalienable right of every community to a free and unrestricted discussion of all questions of moral right and of moral obligation.

## DIVISION II.

### MORAL LAW.

#### CHAPTER I.

##### ITS PLACE AND SIGNIFICANCE IN ETHICS.

§ 46. IF it is the office of Ethics to point out to mankind the lines of conduct which they ought to pursue, and the kinds of character they ought to acquire, it manifestly must be a part of that office to furnish some definite and authentic information respecting the rules or laws by which conduct should be regulated and characters will finally be measured. Without some exact knowledge of moral law, ethics must at best consist of merely speculative discussions and probable conclusions. Without such knowledge there can be no ethical science, and no coherence nor consistency of ethical principles.

§ 47. Whatever may be the diversity of views as to the origin of moral laws, and whatever may be the disputes respecting the methods of testing their validity, the reality of their existence, whether they be known or unknown to man, is undeniable; and it is equally beyond dispute that nothing can be more fundamental in a system of

Need of  
moral laws.

Their place  
and signifi-  
cancy in  
Ethics.

ethics than our conceptions of the origin, nature, and service of these laws. Their place and meaning in ethics is shown by four classes of facts.

1. Every distinctive characteristic of the rational being implies the existence of moral law, and by implying it prompts to inquire for it. Of these characteristics we have already recognized two. We have seen, first, that all rational beings, by virtue of their rationality, necessarily possess intuitive ideas of truth, right, justice, obligation, and the like,—ideas which are unmeaning except as pointing to, and demanding a recognition of, authoritative declarations, from some quarter, of what is true and right and just and obligatory. We have seen, secondly, that every rational being, by necessity of his own nature, judges himself and his acts, and in so doing measures himself and his acts by some explicit rules or moral laws which he has been constrained to recognize as having authority over him.

2. Nothing is more apparent than that the welfare, and even the continued existence of both individuals and society, depends on abstinence from some kinds of actions and on persistent continuance in others. What kinds of action are malign and what beneficent in their influence may be learned from various sources. To forewarn against the malign, and to induce to a performance of the beneficent, is the one special office of moral law. From whatever quarter the specific precepts of moral law may be regarded as coming,—from social custom, from decretive will, or from scientific induction,—their

Implied by  
our intuitive  
ideas.

Required for  
practical  
morality.



service and significance are equally apparent. Without known moral laws, and compliance with them, neither communities nor individuals prosper, or even long exist.

3. All peoples have their ideal types of character and of personal virtue, — types that are understood to manifest themselves uniformly in certain lines of conduct, and through these alone to be attainable. Diverse as the types may have been at various periods and among different peoples, they have everywhere and always proved to be the product of efforts at conformity to fixed rules of life; each type has been the exact index of a people's sense of obligation as prescribed by moral law. Without known moral laws, and without persistent efforts to obey them, personal virtue has had no existence.

Requisite to  
personal  
virtue.

4. Ethics pertains to the conduct and character not alone of individuals, but also of municipalities and nations; to what municipalities and nations in themselves are, and to what in their corporate capacities they venture to do. National life perpetuates itself only through obedience to some kinds of organic laws, written or unwritten; and municipalities secure to themselves peace, and assure protection to life and property, only so long as just laws can be enforced. Just laws, both national and municipal, have existed only where there has been some degree of recognition of moral obligation; and obedience to the laws has been sincere and prevalent, in exact proportion as moral laws have been known and reverently observed.

Indispens-  
able to muni-  
cipal and  
national  
righteous-  
ness.

## CHAPTER II.

### IDEA AND DEFINITION OF MORAL LAW.

§ 48. THE phrase Moral Law is used in three clearly distinct senses: for instance, abstractly, to express the simple idea of moral requirement; generically, to denote the sum total of codified moral rules, like the ten commandments; and specifically, to signify the special precepts or commands for the regulation of human conduct,—the three senses being more distinctively represented by the phrases moral law, the moral law, and moral laws.

§ 49. Law as precept or command, which was the original conception of it, has been not unfrequently and popularly defined as a “rule of action.”

Moral law popularly defined. As command, it implies a sovereign will prescribing action to the will of a subject.

But law which expresses mere will may depend on mere might for its enforcement, whereas law which is to control personal will must be supported by rational sanctions, and moral law by rational and moral sanctions. Moral law as precept or command has accordingly more properly and not less popularly been defined as the rule of right moral action.

Moral law, however, when defined only as a rule of

action, or even as a rule of right moral action, is commonly thought of as merely objective, — as externally prescribed requirement, the sanctions of which are imposed from without. But moral law exists where there is no objective and formal statute to proclaim it; exists as an invariable, subjective, and constitutive principle of the personal being. As subjective principle it reveals its existence through natural sequences, according as it is complied with or violated, and through sequences which are necessitated by the very constitution of the moral nature of personal beings.

Moral law as  
objective  
statute, and  
as subjective  
principle.

A full definition of moral law, therefore, must take cognizance of it as both subjective principle and objective statute; as statute which represents fundamental and constitutive principles of moral being. It must be defined not only as a rule of right moral action, but also as that requirement or series of requirements in the moral nature of man which he must strictly comply with or there can be for him no realization of the moral and ideal perfection of his being.

§ 50. The word law, as employed in physical science, is used metaphorically; and in its original and most obvious meaning denoted merely a rule according to which given classes of physical phenomena had been observed to occur. It was intended simply to express an order of sequence, to affirm that under given conditions given phenomena uniformly occur. Several other meanings have also been given to the word law in physical science, one

Meanings of  
the word law  
in physical  
science.

of which may help us to a fuller and clearer understanding of the true idea of moral law. Natural science, the borrower of the word law, returns it to ethics, the lender, with an enlarged and clarified meaning. The special meaning here referred to is that in which law is made to express the uniform action of uniform properties.

The use of the word law to denote a necessary uniformity (invariability) of phenomena as the product<sup>1</sup> of uniform properties of matter may be abundantly illustrated and justified. Thus it is said that the properties of oxygen and hydrogen are such that when these gases are united in given proportions and under due conditions, water is invariably produced, and the product is said to be by natural law. So also in explanation of atmospheric electricity we say that the properties of matter are such that, under given conditions, electrical discharges must take place; and

Law denot-  
ing uniform  
action of  
uniform  
properties of  
matter.

<sup>1</sup> But the term law as denoting uniformity in the action of properties is not to be confounded with the much debated use of the term in the sense of cause or of causal force. Comte, who denied to science the right of inquiry after causes—first cause, efficient cause, and final cause alike—smuggled all that either of these terms might be needed to express into his use of the word law; and Lewes, in his *Problems of Life and Mind*, Part II. ch. 10, defends the use of the terms law and cause as synonymous. The stock illustration of this use of the word law by the defenders of it, is gravitation, and for the reason, as given by Comte, that “the general phenomena of the universe are explained by it,” i. e. gravitation as a law is the explanatory cause of the phenomena of the universe. But this use of the term law is gravely objectionable, as putting into it a meaning wholly foreign to it. Law may properly denote uniform order of occurrence, and also the invariability or uniformity of phenomena as the product of invariable properties both of matter and of mind; but to denote by it cause, or the casual force of the properties and energies by which phenomena are produced,—or to speak, as too many persons do, of law as “acting” or “working,”—is to confound that which acts with the rule or law according to which it acts.



speaking figuratively they are said to take place in obedience to natural law, *i. e.* atmospheric properties under given conditions necessarily, and by natural law, generate electricity. Again, such are the properties of the cactus that it flourishes to perfection only in arid soils and under arid skies; and on the other hand, such are the properties of the calla lily that it can flourish only in a soil of reeking moisture and fatness. Whoever would cultivate the cactus and the lily must furnish for them the conditions of their growth,—in other words, must comply with the laws imposed on each by the special properties of each. And what is true of gases and atmosphere and plants is equally true of animals and of man. Given properties and attributes of each always show themselves in uniform results, and if perfection of being is to be secured to them, the requirements of the properties and attributes of their being must be rigidly complied with.

§ 51. Now what is true of natural law in its relation to the properties of matter is pre-eminently true of moral law in its relation to the properties or attributes of personal being. Moral law simply declares what the human attributes imperatively require that man shall do and become if he is to attain to the best type of manhood. The natures of plants and animals do not more imperatively demand compliance with the conditions on which alone they can thrive, than does the moral nature of man demand compliance with the conditions on which alone as personal he can prosper. Personal

Moral law as denoting the requirements of personal properties.

attributes cry out for truth, right, justice, honor, and other conditions of the highest personal type, and moral laws simply declare and prescribe what these demand.

§ 52. There are, however, clearly marked differences between the idea of law as applicable to the mechanical and chemical properties which reveal themselves in physical forces, and the idea of law as applied to the action of the psychical or will force of the personal being. A glance at two points of difference will here suffice.

*First*, physical (natural) law simply declares a rule according to which given properties of matter invariably and necessarily reveal themselves; moral law, on the other hand, merely declares a rule according to which the nature of personal beings makes it their duty always to act. In matter, law is the rule according to which force acts by mechanical and chemical necessity; in mind or soul, law denotes the rule according to which, from motives derived from the requirements of his moral nature, a rational being ought always to act. Any theory of ethics, therefore, which conceives moral law as merely decretive, and representing omnipotent will rather than as declaratory of indestructible properties of being, is superficial and far from comprehensive of the whole truth. Moral law cannot be exhaustively considered except as both constitutive property or subjective principle, and this principle as formulated into objective statute.

*Secondly*, physical laws, which are always determined by the immutable and self-acting properties of

matter, are absolutely independent of all human will. The action of one physical force, it is true, may by man be momentarily and partially counteracted by interposing another physical force, *e. g.* gravitation may be momentarily and partially counteracted by the projectile force which speeds the flight of a cannon-ball. Nature, also, by her mutually counteractive centripetal and centrifugal forces provides for harmonious and changeless order in the movements of the planets. But physical law, *i. e.* uniformity in the action of physical forces, no contrivance of man can arrest or evade. Neither can moral law, *i. e.* uniformity in the action of the properties of personal being, be arrested or evaded. But man can comply with the requirements of the properties of his moral nature or not, as he chooses. He can interfere with their action or he can give them full and free play. Their obstructed or unhindered action makes up the violation or fulfilment of the moral laws under which man exists. The sequences and sanctions, whether rewardful or penal, of physical laws and moral alike are equally invariable and inevitable.

## CHAPTER III.

### VARIOUS KINDS OF LAWS.

§ 53. THE various kinds of laws known among men are distinguished by appellatives derived from a diversity of sources; sometimes from the phenomena to which they pertain; sometimes from their supposed sources; and sometimes from the ends they subserve. The kinds are indefinitely numerous and complicated and difficult of classification. An exhaustive and satisfactory classification of all known species is yet to be made. There have been various attempts at classification, but the difficulty encountered in all has been the inevitable overlapping of classes with one another. It must suffice that we here notice only natural laws so called from the phenomena of nature to which they pertain, and civil laws so called from the ends which they subserve in conserving to us the state and the community. With both the natural and the civil, moral laws stand in intimate and inseparable relations. And yet moral laws differ from physical laws in that they presuppose their existence, and, resting on them, both interpret and supplement their service to man; and they differ from civil laws in that they are either implicitly or explicitly presupposed and supplemented by the civil,



the two unitedly subserving the promotion of right conduct and right state of being on the part of both individuals and society, and giving, should they be perfectly fulfilled, a realization of ideal manhood and of the ideally perfect society and state.

Thus all kinds of real and true law, natural and moral, are perfectly co-ordinate and harmonious, and the aim of all civil statutes should be to come into complete accord with all other real laws.

both natural and moral. Natural laws in their ultimate results or sanctions are always in perfect harmony with the ultimate

All real and just laws are co-ordinate and harmonious.

results of all true moral laws. All moral laws are in one sense only natural laws; and nature is one in all her departments. The laws of matter never contravene the laws of either mind or heart. And among enlightened peoples the one aim of all civil legislation is, or should be, to bring positive enactments into perfect agreement with every species of natural law, mechanical, chemical, and moral.

But whatever may be the relation of laws to one another, and whatever the point of view from which any species of law may be viewed, the distinction between law as constituent principle and law as objective rule or formulated statute, should never be overlooked. A statutory law of human government which

Law not founded on constitutive principle cannot endure.

does not represent a reality, inevitably becomes in due time a dead letter; and a supposed moral law not grounded in the real nature of man cannot fail in due time to be seen to be false and to be discarded.

## CHAPTER IV.

### ORIGIN OF MORAL LAW.

§ 54. IF moral law exists primarily as constitutional requirement, or subjective principle, of personal being, and secondarily, as this requirement stated in preceptive form, then in attempting to explain its origin we must consider it,

*First*, as subjective principle. Its origin, in this sense of it, must have been in the origin of the typical idea of man. If man was created, then the origin of moral law as subjective principle. must have been in the mind of the Creator, and, as idea, must have existed before man's existence began. If man has been the product of mechanically evolving forces, then the primal origin of moral law must have been in these forces, and could have had no existence till man became conscious and personal.

*Secondly*, moral law as objective rule merely formulates subjective principle, — puts into words of command the immutable requirements of the moral nature of man. If man bears the image of his Creator, *i. e.* embodies in his personality the same constituent principles of moral being as the Supreme Being, then moral law is, what it is so often said to be, a transcript of the Divine

nature, and is at the same time a picturing in words of the moral nature of a perfect man.

Moral law, therefore, whether as internal principle or as external statute, is not a something made for an end. As internal principle its seat is in the very nature of rational being as such. Not made, but revealed. As external precept, it simply tells what the principle is and what it inexorably requires that man shall do. True moral law, as command, is never made, but merely reveals what is true, and what is as changeless as the eternal Mind. Its sanctions distinctly proclaim that every man must expect and will receive precisely the rewards and penalties which his own conduct, by natural sequence, shall bring to him.

§ 55. There are three distinct sources and processes through which moral laws have become known and formulated. Without attempting to indicate the historical order in which man has availed himself of these sources and processes in the past, or in which individuals may now avail themselves of them, we may designate the three as by intuition, by observation, and by supernatural revelation. Sources of our knowledge of moral laws.

It is possible that some of the simpler, the more elementary, and the more self-evident of moral laws so immediately reveal themselves in consciousness through a single experience in Intuition. life, that the mind may be said to know them by intuition,—that they may be said to be written on the heart, and in their own light to be read and applied by the conscience.

Again other moral laws have manifestly been as-  
 Observation and induction. certain only after careful and repeated  
 noting, through successive generations, of  
 the sanctions by which the laws have re-  
 ported themselves to the observing, and after careful  
 inductions from the results of observation.

Again the whole body of ethical truths, purged of  
 obscuring errors, has been set forth in the clearest  
 Supernatural revelation. light in the moral teachings of Jesus of  
 Nazareth. His teachings elicit a response  
 so immediate in the moral consciousness of all to  
 whom they are made known that their truthfulness  
 may be said to be intuitively recognized.

The relation to one another of these three sources  
 of our knowledge of moral law should be clearly  
 understood and carefully kept in mind.  
 Relation of the three sources, intuition, observation, and revelation. Through inattention to this relation the  
 three sources have been treated as not only  
 distinct but independent. By extremists  
 among defenders of the so-called intuitive  
 and derivative theories of morals, the first two sources  
 have been put in contrast and even in antagonism.  
 The truth seems to be that neither one of the three  
 sources is for us complete without the aid of the  
 others. Immediate intuition apprehends extremely  
 few if any explicit moral laws, except in and through  
 some concrete example; and no amount of observa-  
 tion and induction or of formal declaration can con-  
 vey to the mind a convincing knowledge of moral laws  
 except in and through the mind's power of immediate  
 or intuitive apprehension.



## CHAPTER V.

### TESTS OF MORAL LAWS.

§ 56. DIVERSITY in the standards of right among different peoples, and among individuals of the same race, show plainly that not all the accepted rules of life which are regarded as moral laws can be true laws. Grave mistakes as to duty and right have not unfrequently been made. Are there any decisive tests by which true moral laws can be distinguished from the false?

Not all supposed moral laws are true laws.

§ 57. This inquiry is closely related to another inquiry respecting the real ground of moral obligation, or the supreme reason why moral law should be obeyed. The two inquiries, however, are clearly distinct. The first asks how we may know that a given formulated law is right and true, — that it represents reality; the second asks why we should obey it, granting it to be true. An answer to the first does not necessarily involve an answer to the second, though the second cannot be answered without giving, or at least assuming, an answer to the first. No valid reason of any kind can be shown for obeying a law which is not believed to be grounded in truth and right.

Tests of moral law and ground of obligation.

§ 58. Tests of the genuineness of a moral law may

be derived from the same source as our knowledge of the law itself. Whatever makes a law known to us puts us, to some extent, in possession of the evidence of its authority. Single tests, derived from single sources, may be exclusively relied on by advocates of special theories; but it is doubtful if anything like certainty can be reached except through the collective evidence of several if not all of them. Thus,

1. In accordance with the popular idea of the origin of moral laws we might suppose them to have been prescribed by an infinitely wise and just Will. If such could be proved to have been their origin, this proof would sufficiently attest their validity and authority. Whatever an infinitely wise and just Will prescribes must be right.

2. The real authority of some moral laws may be intuitively discerned.<sup>1</sup> Their authority may be so nearly self-evident that when fulfilled or violated in some concrete act, the mind immediately discovers not only the law, but its authority, and assents to it. To that authority no other evidence may be needed to give additional weight. But the number of laws whose authority is thus discerned is extremely small. As compared with the countless moral rules in force among men they are hardly more

<sup>1</sup> Dr. Porter (*Elements of Moral Science*, § 52) places the test in "the reflective intellect which cannot but find the norm or standard of duty in the natural capacities of man." The "ideal" or law which the reflective intellect gives, one can no more "shake off or lose sight of," than he can "part with his shadow when he stands in the open sunlight." See § 56 of *The Elements*.

than the planets of our system in comparison with the stellar universe around us.

3. Not a few of the moral rules recognized by mankind at different periods and among different races, have been the silent and slow and unconscious growths of custom. Protracted experience has certified their usefulness, and even their necessity, and so has vindicated their right to be observed.<sup>1</sup> Analyzed by philosophers into the elementary principles or truths which the rules embodied, they have been vindicated and established in undisputed authority.

4. Certain attempts have also been made to formulate an empirical test for determining the validity of all laws, moral and civil, both of such as are now in force, and of others to which it is thought some now in force should give place. The one test proposed is utility in promoting the highest good of man. Philosophers of different schools have joined in accepting this test; but the one difficulty with them all has been to determine in what the highest good of man shall consist; whether in indi-

Growths  
vindicated  
by experi-  
ence.

Utility as a  
test.

<sup>1</sup> Greek and Latin literatures abound in recognitions of the divine authority of laws which had evidently been the gradual growths of custom. Thus both Herodotus and Plato (*Gorgias*) 484, 13) quote Pindar as saying:

νόμος ὁ πάντων βασιλεὺς  
θανάτων τε καὶ ἀθανάτων.

Demosthenes says: Πᾶς ἐστὶ νόμος εὖρημα καὶ δῶρον θεῶν.  
Sophocles (*Antigone*, 456-7) has the very striking lines:

οὐ γάρ τι νῦν γε κᾶχθές, ἀλλ' αἰεί ποτε  
ζῇ ταῦτα, κούδεις οἶδεν ἐξ ὅτου ἐφάνη.

Cicero (*De Legibus*, 2. 4) calls Law, ratio recta summi Jovis; and says of it, orta est simul cum mente divina.

vidual pleasure or happiness ("egoistic hedonism"); in personal well-being ("eudemonism"); or "that which will produce the greatest amount of happiness on the whole" ("universalistic hedonism"). Until it shall be finally settled as to what the highest good of man should consist in, utility can never be a decisive test of a moral law, though it is certain that no law, come from whatever source it might, could be considered valid which should be universally recognized as injurious to man in its results.

5. Kant's test was, that only such laws could be considered true and valid as one could for himself will should be binding on all men. His test  
**Kant's test.** as stated by himself is: "Act so that the maxim of thy will can always at the same time hold good as a principle of universal legislation." This test he regards as the dictate of the "pure practical reason," and as in no sense arrived at by induction from experience; and yet he is at considerable pains to justify it by showing how disastrous would be the results in society if men should act from maxims which they could not will should be universally adopted. He vindicates it by arguments drawn exclusively from utility, *i. e.* from the mischief that would follow if men should act from maxims which they could not will should be universally followed. His test can be vindicated negatively, and that only on utilitarian grounds.



## CHAPTER VI.

### DESIGN OF MORAL LAW.

IN treating of the Design of Moral Law we may properly consider, first, what its design is, and, secondly, how its design is fulfilled.

§ 59. I. The design. This to be fully understood must be viewed in two lights, corresponding to the twofold idea of law as subjective requirement or constitutive principle, and as formal precept.

*First*, the design of law as subjective requirement must have been identical with the design or final cause of man's existence. If we conceive his existence to have been the realization of a pre-existing idea in the mind of a Creator, then whatever the design of his creation, moral law was essential to it, and essential because it was the most fundamental of all the constitutive principles of his nature. To inquire, therefore, into the design of moral law as subjective principle is equivalent to inquiring after the final cause of the existence of man, especially of his particular type of existence. The inquiry would be irrelevant in Ethics, and belongs, if anywhere, to the science of Theology. If man be regarded as the unintended, and consequently unintelligible, product of blindly evolving physical forces,

then the question of design is unmeaning and cannot rationally be asked.

*Secondly*, the design of moral law as formal precept. This design, stated comprehensively, is to make known to man the constitutive principles of his moral being, — to set distinctly before him the unalterable conditions on which alone there can be a realization of the true type of manhood. And by making known these principles or conditions, various and most important ends are subserved.

Design as  
formal pre-  
cept.

1. A safeguard is furnished against the fearful moral risk incurred through ignorance of the requirements of moral being, — an ignorance that experience could remove only when the knowledge would come too late to be of service. Without explicit commands, some of the most vital principles of man's moral nature would become known to him only through the penalties of violating them, and penalties from which there could be no escape.

2. A second and more positive end accomplished by moral precepts, is personal improvement through knowledge and practice of the right. Man needs not only not to err by wrong doing, but also to develop into maturity by right doing every good principle and impulse of his nature. A most effective agency in continuously lifting man upward to something higher and better is found in the knowledge of the uncompromising requirements of moral law. No better illustration of the influence of such knowledge can be given than in that of the

Guard  
against  
faults from  
ignorance.

Induce to  
personal im-  
provement.

ten commandments of Moses. Without some such knowledge no people can abound in character of great excellence, or produce an example of the highest style of virtue.

3. Codified moral commands, duly known and recognized as supremely authoritative, furnish a uniform standard for the measurement and final estimate of all human character. Honest self-judgments by such a standard breed wholesome emotions; the reactionary influence on the living of just judgments on the dead is only one of the many illustrations of the good ends served by an acknowledged moral code.

Furnish a standard for the measurement of character.

4. The requirements laid down in an established moral standard furnish also both the measure and the justification of personal rights. We have rights because we have duties to fulfil; and the nature and extent of our rights will be determined by the nature and extent of our duties. Even if we maintain that the real ground of our personal rights lies in the fact that we are personal beings, it still remains true that he who is devoid of all duties is equally devoid of all rights.

Both a measure and a justification of personal rights.

§ 60. II. How the design of moral law is fulfilled. A moral code of commands is intended to induce to compliance with the hidden demands from within. It accomplishes its end by various and successive steps.

Moral law is fulfilled.

1. Its word-picture of the ideally perfect man makes known what man is capable of, was designed to be, and is unyieldingly required to become.

By showing what man can, and is required to, become.

2. By its picturing of the ideal man and its revelation of inexorable demands, there is kept alive in us a sense of the difference between the ideal self and the actual self, and also a sense of antagonism between uncompromising law and the choices of a disobedient will.

3. The perfect moral law with which the will is in antagonism evokes the judgments of conscience, with consciousness of guilt and of a needed change of character and purpose; and this consciousness impels to the seeking of any help within reach, through which the requirements of law can be complied with.

4. Inexorable commands, and our ineffectual efforts to comply with them, make us continuously and increasingly aware of our need of a power higher than our own, if compliance is ever to be possible.

5. The end of moral law as both inward principle and formal precept is fulfilled when one is brought to a harmony of will with the law's requirements; or, to be more exact, when one is brought to an acquaintance with, and trust in, the archetypal and Divine Man, who alike unfolded the fulness of moral law in his teachings and illustrated its absolute perfection and its sanctions in his own person and life; and who, for all who will know him and trust in him as Teacher and Deliverer, will translate objective precept back into subjective principle, bringing the action of will and the requirements of moral law into an ever-increasing accord.



## CHAPTER VII.

### THE SANCTIONS OF MORAL LAW.

§ 61. THE results of fulfilment or violation of moral law are no less invariable and inevitable than are the results of compliance or non-compliance with what are known as physical laws. The results of moral actions are the law's unvarying sanctions. Several statements of indubitable truth respecting these sanctions may be made.

Moral sanctions invariable and inevitable.

1. The real sanctions of true moral law can never contravene, or in any degree differ from, the natural sequences of actions. Real penalties, even if conceived to be inflicted by some avenging power, can never vary from natural sequences.

Never differ from natural sequences.

2. So long as there is antagonism between the constitutive requirements of the deeper and original nature of man and uncurbed hereditary propensities to evil, or, as there is antagonism between the deeper nature and the impulses and spirit of the "second nature" of habit superinduced by evil choices, so long will there be active penalty in the soul of man, whatever the duration of his existence.

Active penalty so long as there is active evil.

3. The sanctions of moral law can in no way be dependent on arbitrary fiat, but must be strictly coincident with the realities of being. The morally innocent cannot be morally punished, nor the morally guilty be by fiat absolved from penalty. The essence of moral penalty lies in self-conviction of ill-desert; the essence of moral reward—if the beneficent result of obedience can properly be regarded as reward—lies in the consciousness of an honest and an abiding purpose to hold to the true and to practise the right. To the enduring sanctions of moral law conscience adds the final and unappealable award.

4. Moral sanctions cannot vary from strict justice. Many great natural calamities have, so far as human knowledge goes, no connection with moral deserts, though their offices while not penal may be morally beneficent to man. But physical sufferings are also not unfrequently seen to be the direct results of wrong doing; and even the innocent frequently share in the penalties of the guilty with whom they are closely allied, just as the guilty share in the benefits accruing to the innocent and obedient with whom they are closely allied; but in neither case is there any infringement of justice, since every member of a body, by virtue of his membership, is justly a participator alike in the innocence and the guilt, and so in the rewards and penalties, of the whole.

5. The penal sanctions of moral law, falling as a blight on the personal being, can be removed only by

a remedial agency in which the beneficent results of some new law observed,<sup>1</sup> shall counteract and obliterate the penal consequences of other laws that have been broken. The effects of moral vices can be removed only by cultivation of the opposite virtues. The effeminacy produced by self-indulgence will yield only to the curative influence of rigid self-denial for the benefit of others.

Penal sanctions removed only by remedial agency.

6. No remedial agency can so far obliterate the effects of penal sanctions as to restore one completely to that state to which he could have attained had he not transgressed. The associations of a once vitiated imagination haunt a man through life. The moral scars of great vices never wholly disappear, whatever the degree of reform.

Penal sanctions never utterly obliterated.

<sup>1</sup> The mischievous influence of the popular idea that Divine "forgiveness of sins" is a total removal of all penalties independently of the reconstructive influence of a personal faith which brings into loving obedience to Christ and to all laws of righteousness, can hardly be overestimated. The popular conception of law as something which infinite wisdom for good ends has seen fit to decree, — a something whose penalties the same infinite wisdom can inflict or remit as for good cause is seen to be fitting, is figuratively true, and serves well as a working conception of religion, but cannot be regarded as scientifically exact or as exhaustively representing reality. Moral law is as unchangeable as the nature of God its author, and its sanctions are as irreversible as the law is unchangeable. The notion that law and its sanctions are dependent on the Divine will, and that Divine love can at will override and extinguish Divine justice, is an error that above any other eats into the vitals of the religion of him who holds it. According to Christianity God is just at the same time that he justifies.

## CHAPTER VIII.

### PERPETUITY OF MORAL LAW.

§ 62. IF moral law as subjective principle has its ground in the moral nature of man, and if the sole Evidences of purpose of the objective precept be to secure on the part of man due recognition of the principle and compliance with it, then in view of conclusions already reached, there are certain indubitable inferences respecting the perpetuity of moral law which may be briefly stated.

1. As subjective requirement or principle, moral law must be as unchangeable as is the identity of rational existence. When rational life can cease to be, moral law may cease, but not till then. Its seat is in the eternal and personal Reason.

2. As objective precept, it must also exist so long as practical morality and personal virtue are to be cultivated; and will be needed because morality and virtue spring only from right choices between ends, and ends which it is the one distinctive office of objective precept to point out.

3. Precept will also be endlessly needed because finite and progressive beings, passing as they are con-



tinually doing from the known into the unknown, need objective rules for their guidance. And it is the peculiarity of all moral law which truly represents the realities of moral being, that the more completely it is complied with, the farther and the more rapidly and the more rationally it enables man to advance. But no stage of progress will ever be reached by him where his need of precept will be outgrown. Of his need of it, we may safely say,

Needed for  
guidance of  
finite beings.

(a) It will always be in exact proportion to his non-compliance with the subjective principles of his moral nature. The less disposed he is to comply, the more does he need to listen to the relentless demands of precepts.

In proportion  
to non-com-  
pliance with  
subjective  
principle.

(b) Unless this compliance become automatic, or uniformly spontaneous, there will be no escape from the need or from the presence of the unsilenced command. To hesitate or to deliberate is to hear its unmistakable voice.

Perpetually,  
unless obedi-  
ence be auto-  
matic or  
spontaneous.

(c) If one could, however, through experience and training, reach that perfect state of being in which he would always and spontaneously comply with the subjective principle, becoming a law unto himself, his need of external command might cease; but

Precept  
might cease  
to be needed  
by the per-  
fect man.

(d) Human perfectibility is an imaginary state which no human being ever really reaches. None needs precept more than he who complacently thinks himself to have reached a state of perfection.

Perfectibility  
an imaginary  
state.

## CHAPTER IX.

### THE FEELING OF OBLIGATION.

§ 63. THE feeling of obligation, existing primarily as the vague sense of duty which always accompanies the intuitive ideas of right and justice, becomes clear and strong so soon as there is a distinct perception of something that moral law prescribes to be done. It differs plainly from the emotions that accompany the judgments of conscience. These emotions are always the product of judgments either on overt acts or on distinct purposes and feelings that have taken the form of mental acts. The feeling of obligation, on the other hand, is awakened only by contemplation of proposed acts, or lines of action, and springs up immediately in the mind on its perception of what law commands us to do.

§ 64. The feeling of obligation or conviction of duty never exists except in coincidence and in correlation with the feeling and sense of strict right; but the feeling of right and the feeling of duty are not identical. Right is predicable only of states and of acts and their qualities; duty only of persons and their relation to the right. No one ever feels that he ought to do what he does not also feel to be right. But the feeling of right does not always and necessarily awaken the feeling of

obligation. Many things may be right in themselves, and yet neither expedient nor obligatory. The feeling of duty is the offspring of a perceived relation to the right,—of a law binding us to do what in specific cases we perceive it to be right for us to do.

§ 65. The exact relation subsisting between right, expediency, and duty is one of the intricacies of ethics. That expediency may sometimes determine our acts where the relation of the right to us does not transform it into personal obligation, there can be no reasonable ground for doubt. But expediency can have no place in a case of plain duty.

§ 66. All right acts, right conduct, and right character consist in prompt and complete compliance with an enlightened sense of duty,—with an intelligent feeling of obligation. The difference between character as the product of a bare, cold sense of duty, and character as the outcome of a sense of duty fused into a loving preference, is clearly marked. The possessor of the first may be a strictly righteous man in the philosophical sense of the term; but the highest moral character, the closest approach to perfection of personal being of which man is capable, is reached only when his sense of duty is at one with the unbidden yearnings of his heart.

§ 67. The means to be employed in bringing one's moral affections and sense of duty into unison are available through what are known as his motives. One's motives are seen in the ends which he seeks; his motives both

Right, duty,  
and expedi-  
ency.

Character as  
produced by  
sense of duty  
and by love.

Harmonizing  
of sense of  
duty and the  
affections.

reveal, and by reaction intensify, the state of his affections. If we would change our motives, we must change our affections; and if we would change our affections, we must change our motives. A change in one is also necessarily a change in the other. But as no man can by act of his own will change either his affections or his motives, the first step towards bringing his sense of duty and his affections into unison will be taken when, conscious of his own helplessness, he shall honestly seek the interposition of a Power that is higher than his own.

In the transition from a state of discord to a state of harmony between one's sense of duty and his affections there will be an ascending series in the degrees of worthiness as well as of force in his motives. The first motive in the series may be a mere blind desire to escape the uneasiness of a sense of unfulfilled obligation, — or possibly may be fear of threatened punishment. From that beginning in the transition there will be a constantly ascending grade of motives reaching, it may be, up to the highest considerations or ends that can be derived from the infinite nature of God. The kind and quality of one's motives always reveal the moral quality of his conduct as well as the worth of his character.

As all morality and personal virtue depend on the state of one's affections and on a right action of the will, it is necessary that we inquire into the nature of the will.

Ascending  
series of  
motives.

Inquiry into  
the nature  
and action  
of will.



## DIVISION III.

### THE WILL.

#### CHAPTER I.

##### ITS CONNECTION WITH OTHER ETHICAL FACTORS.

§ 68. BOTH conscience and moral law, already considered, distinctly imply the existence of a controlling power in man denominated the Will. Conscience and moral law imply will. Moral law addresses its imperatives to man as volitive as well as rational. Conscience pronounces judgment on self for its use of its volitional power in complying, or in not complying, with the commands of law.

A right understanding of will, therefore, as a power and a function of the soul, and especially of its relation to other faculties, is indispensable to a right understanding of the morality of human actions, and of virtue as a state of personal being. Moral law may be ever so clearly announced in consciousness, and its sanctions ever so emphatically enforced by conscience, yet without a right relation of will to moral law there can be no real morality and no true virtue; and without some statement of the relation of will to other personal activities, and some clear

conception of what is meant by freedom of the will,<sup>1</sup> there must remain a manifest omission in a discussion of theoretical ethics. It might be said that all men are immediately conscious of a feeling of responsibility whenever personal duties are distinctly set before them; and that they have this feeling because they are also conscious of freedom in choosing whether they will obey or not, and that this being so, it is better to assume the whole doctrine of will than to discuss it. The discussion of it, it is sometimes said, is fruitless of good if not mischievous, because meddling with an inscrutable subject. But physical science, perpetually thrusting its conclusions from the invariability of natural laws upon the domains of Psychology and Ethics, leaves us no alternative. If we are to have a science of human duties we must have evidence that the human will is free. It were absurd to talk of duties for beings who are not free to perform them. It is necessary, therefore, that we inquire (1) What is the will? (2) What are its relations to the other active powers? (3) What are the conditions under which will acts? (4) What is freedom of the will?

<sup>1</sup> "I hold, with many English moralists, that it would be quite possible to compose a treatise on ethics which should completely ignore the free-will controversy. At the same time I think such a treatment would not only be felt to be shallow, but would omit the consideration of really important practical questions."—Sidgwick's *Method of Ethics*, first edition, Bk. I. Chap. IV.

## CHAPTER II.

### WHAT IS THE WILL?

§ 69. WILL, as a faculty, may be defined as the soul's power to determine the extent and kind of its own action; as a function, it is the soul in movement. The human soul is both a vital force and a volitional power; the vital force acting by a derived and an inherent, unreasoning energy, and the will directing and controlling the energy in accordance with such ends as the rational soul may set before itself as desirable to be attained.

Will defined.

This distinction between vital, inborn force and will as the faculty that directs the force, should not be forgotten. A blind energy, and the power that determines the direction the energy shall take, are entirely distinct, though they may be, and often are, confounded with one another. If the first could be shown to be "determined" in its action by physical force, or to be automatic, the argument would still fall immeasurably short of proving this to be the case with the will. A brief glance at some of the well-known definitions of will may help us towards a clearer conception of what the will really is.

Essential  
distinction  
between  
vital force  
and will.

Jonathan Edwards says: "The faculty of the will is that faculty, or power, or principle of mind by

which it is capable of choosing; an act of the will is the same as an act of choosing or choice.”<sup>1</sup> But this limits the conception of will to its incidental acts; and since, according to its own statement, choice is only an act of the will, the “will is the power of mind by which it is capable of willing,”—an identical proposition.

Reid defines will as “man’s power to determine in things which he conceives to depend on his determination.”<sup>2</sup> This definition is preferable to that of Edwards, and yet is too narrow in its conception by restricting the function of will to a limited class of determinations.

Kant says: “Everything in nature acts according to laws. Rational beings alone have the faculty of acting according to the conception of laws, —according to principles, *i. e.* have a will. Since the deduction of actions from principle requires reason, the will is nothing but practical reason.”<sup>3</sup> Kant also says, “The will is conceived as a faculty of determining one’s self to action, in accordance with the conception of laws.”<sup>4</sup> How a power that forms “conceptions of laws” and “deduces action from principles,” can be identical with that which acts or determines the action, is not demonstrably clear and cannot be made so.

Rowland G. Hazard says: “Will is the power or

<sup>1</sup> *Freedom of Will*, Pt. I. §1.

<sup>2</sup> *Active Powers*, Essay 2, Chap. I., Hamilton’s Ed., p. 531.

<sup>3</sup> *Grundlegung zur Metaphysik der Sitten*, 2d, Abschnitt, or Abbott’s Translation: *Theory of Ethics*, p. 42.

<sup>4</sup> See Abbott’s Translation, p. 64.



faculty of the mind for effort." "The act of willing, or the act of will, is the mind's effort."<sup>1</sup> This definition seems as much too narrow as are R. G. Hazard's definition. those of Edwards and Reid, though decidedly preferable to theirs. It excludes all volitions as acts of will, which occur without effort,—as when one cries out from severe pain. The definition also half implies that there may be a state of mind so strictly quiescent that will ceases to act, instead of being, in one's waking moments, always in movement.

Calderwood says:<sup>2</sup> "Will is a power of control over the other faculties and capacities of our Calderwood's definition. nature by means of which we are enabled to determine personal activity." This does not seem to be sufficiently exact. Will cannot control the faculty of judging; cannot control capacities in any definite sense of that term; and can determine personal activity only in the sense of determining its extent and kind.

Differ as the definitions do, all agree in regarding will as the determining power in human action. We shall regard it as that controlling power of the soul which determines the kind and extent of all action, and the kind and worth of all character. Determines all action and character.

<sup>1</sup> *Freedom of Mind in Willing*, p. 24.

<sup>2</sup> *Handbook of Moral Philosophy*, p. 165.

## CHAPTER III.

### RELATION OF WILL TO THE OTHER POWERS.

§ 70. WILL as the controlling and determining power of personality stands in direct relation to all other personal powers. Its office is to control in all those activities to which the other powers are ever spontaneously impelling it.

Special function of will.

The impulsive powers consist of three general classes; the first corresponding to the bodily or the physical nature of man; the second, to his mental or spiritual nature; the third, to that intermediate realm which is the product of the physical and the spiritual in conjunction, and may be designated the sensitivities or the sensibilities. Under the first belong what are called the appetites, hunger, thirst, and the sexual instinct, which man shares in common with all other animals; under the second belong the perceptions and the judgments, both intellectual and moral, or the functions of reason; under the third belong those compound impulses, known as the desires and the affections. Of this latter class, the desires partake more of the physical than of the spiritual, and consequently are more allied to the appetites than to the judgments; the affections, on the contrary, partake more of the spir-

itual than of the physical, and consequently are more allied to the judgments than to the appetites; while the judgments, both intellectual and moral, though liable to serious disturbances from the desires and affections, are yet so remote from the bodily senses and the appetites, that they may be said to be in a degree, yet by no means wholly, independent of them.

The desires and affections are so very numerous in their objects and so diverse in the modes of manifesting themselves that they furnish a very troublesome element in all attempts at minute classification of the impulsive powers.

*Difficulty of  
minute clas-  
sification.*

Springing as they do, sometimes from the physical constitution, sometimes from mental action, sometimes from the coaction of both the physical and the mental, and always more or less affected by habits, they become in themselves extremely complex and difficult of analysis, and consequently are not easily classified.<sup>1</sup> The brief general classification which we have given, however, of the impulsive powers as a whole, while it makes no attempt at a classification of that indefinitely large variety of the so-called secondary passions, desires, and affections, which are chiefly the product of the twofold nature of man, yet recognizes the possibility and the fact of their existence under the general designation of desires and affections.

<sup>1</sup> For examples of minute classifications of the lower impulsive powers, — called "springs of action" by Jas. Martineau and "sensibilities" by Pres. Porter, — see Martineau's *Types of Ethical Theory*, Vol. II. Pt. II. Bk. I. Chaps. V. and VI., and Porter's *Elements of Moral Science*, Chap. II. See also Calderwood's *Handbook of Moral Philosophy*, Pt. II. Chaps. I. and II., who classifies all "impulses to action" under the general divisions of "craving powers, giving powers, and persuading powers"; the first including the appetites and the desires; the second, the affections; the third, the judgments.

§ 71. But whatever may be our analysis and classification of the impulsive powers, the office of the will among them is clearly discernible. Its distinctive function is to enforce the rational judgments on all the lower and blindly acting impulses of our nature, — to control the appetites, and to bring the desires and affections, so far as practicable, under the guidance of the moral intelligence.

**Regulative  
function of  
the will.**

**Lower impul-  
sive powers  
in their ini-  
tial action  
independent  
of will.**

The lower impulsive powers in their initial action are all of them independent of the will. Will may concentrate attention on objects that arouse them to action, or when aroused may fix attention on objects towards which they impel, and so add to the energy of their impulse, but nothing more. All judgments, whether simply rational or also moral, are both in their initial and in their completion as judgments, quite above any direct control of the will. The single office of will is to mediate between the judgments and the lower impulses, — to enforce the former on the latter. Reason and conscience as supremely authoritative in the soul may give judgments, but will alone can enforce compliance with the judgments on the inferior powers.

And the control of will over these inferior powers is not absolute, but limited and rigidly conditioned.

**Will limited  
in its control  
of the lower  
powers.**

Will can neither originate, nor prevent, nor by itself alone terminate, their action. By fixing attention on given objects it can awaken slumbering appetites, desires, or affections, but



cannot autocratically call them into exercise; and it can only so far control their action as by use of reason and conscience to keep them within reasonable bounds. It is the actual exercise of this control which alone entitles man to be called a rational animal and a moral being.

Will, it has been affirmed by certain writers, is only another name for the strongest desire or affection. And in persons of feeble self-control, it doubtless may be identical with the strongest appetite, desire, or affection. But that the will directed by reason or conscience is often antagonistic with appetite and all natural desire and affection, and triumphs over them, is plain matter of observation, and in most persons is also, to a greater or less degree, a matter of actual experience.

Will not identical with the strongest desire.

## CHAPTER IV.

### CONDITIONS UNDER WHICH WILL ACTS.

§ 72. ACTS of will may either be a continuous and connected series, each act naturally and necessarily leading to another, the whole series partaking of a common type, revealing a common origin,—an origin in a nature that does not change; or acts of will may be single and independent volitions, of differing types, all springing from the same source, but that source an

**Will always acts under uniform laws.** unstable and divided nature. In either case the will always acts under fixed conditions *i. e.* in accordance with uniform laws. Personal beings in willing, as in every other kind of action, are subject to laws imposed in part by their own natures, and in part by the circumstances under which their wills act. Some of the most noticeable conditions and laws under which the will acts may be briefly stated.

1. Will does not directly originate all personal actions. Personal life, the source of all personal volitions, is itself involuntary in its origin, and many of its acts are the mere continuation of an inborn bias, or the outflow of natural and inherited impulses. The bias and the impulses become acts of will only when coming distinctly into

**Will not the direct source of all personal action.**

consciousness they are voluntarily accepted as one's own conscious choices. Acts of will may thus be either the mere continue expression of inherited impulses, or the impulses being consciously resisted the will may triumph over them and itself directly originate action. It follows also,

2. That no one can will to will, but that every one in his volitions, isolated as well as connected, must act spontaneously, though always in conso-  
One cannot will to will.  
 nance with himself and his apprehension of his relations. Will can never be anything else than an expression of the actually existing self at the moment of volition. Personal being, though involuntary in its origin, is yet the embodiment of volitional force; and volitional acts are simply the expression of this force and the indices of both its degree and its moral quality.

3. The will can absolutely and immediately originate all such mental actions, and in a normal state of the bodily organism all such bodily actions,  
Can directly originate mental and bodily, but not all moral acts.  
 as are dictated by strictly intellectual judgments; the volitions may so immediately follow the judgments that the two may seem to be simultaneous. Will can also immediately execute all such moral judgments as are in harmony with existing desires and affections; such moral judgments as are opposed to existing desires and affections it can execute only through the aid of some new affection which the moral judgments may call into exercise. One may, for example, condemn himself for an undue love of gain, and be powerless

by mere act of will to control his passion, but may master it by pitting against it a stronger passion, which his moral judgments may bring to his aid. The desires and affections being independent of will in their origin, are also in their action beyond its control, except in so far as it may control them indirectly and by the use of means.

4. There can be no action of the will without an object, *i. e.* without some intelligible end, foreseen and felt to be both desirable and attainable. Without a feeling of want, will never acts; it acts for the attainment of some object or end by which the want shall be supplied. The end sought is the person's motive to action. Every act of will thus implies a subjective motive and its correlative or objective end,—the word motive when properly used always denoting both a subjective purpose and an objective end.

5. The end sought in volition, in other words a person's objective motive, derives all its power to move him from the person himself. If there be no desire nor affection for an object, and the judgments are against it as undesirable and wrong, it can excite no volition. An object may create new desires and affections, but itself can never become a motive to action till the new desires and affections have clothed it with motive power. Every one gives to his objective ends or motives all the power they can have over him.

6. Thus if we would influence any one for good, we must set before him as motives such objects as appeal



to his affections. The affections may have been first aroused by the objects, because the heart in which they were aroused was what it was; in turn the affections give the objects all the power they now have over him. Subjective motives and objective ends are all alike the creations of the self or ego that wills, and are what they are because the ego is what it is. No explanation of will can accordingly be found in the causal power of motives whether objective or subjective.

Objects  
awaken af-  
fections; af-  
fections give  
objects all  
their power  
as motives.

Nor does it suffice to say that the self or ego that wills is not a concrete and invisible entity, but is only the sum total of feelings, impulses, desires, and affections, which are awakened into life by the external objects that come into contact with the physical organism of man; and that the objects by controlling the impulses become objective ends or motives that determine all volitions. How feelings, impulses, desires, and affections can of themselves constitute personality, or can be other than mere modes or states of a personal subject, is not conceivable. To say that they are the self which wills would seem to be no more reasonable than to say that one's headache is his head, or that the pleasure of seeing is the eye, or that feeling wills, or that impulse judges. The truth is, that impulses, feelings, and desires are states of the personal self which are more or less directly under the control of self, and which through aid of external objects, and even of ideas, self can at will bring into being and at will bring to an end.

No will with-  
out a per-  
sonal self  
that wills.

## CHAPTER V.

### FREEDOM OF THE WILL.

§ 73. BY Freedom of the Will is meant the freedom of the personal being, or of the individual soul in the exercise of its volitional energy. The existence of free will is denied by a diversified class of necessitarians or so-called determinists, consisting of fatalists, of extremists among theological predestinarians, of positivists, evolutionists, and by the various schools of pantheists; it is affirmed by a somewhat less diversified class called libertarians or self-determinists, consisting on the one hand of those who claim for the will an independence tantamount to the power of contrary choice, *i. e.* the power to choose at any given instant the exact opposite of that which is chosen; and on the other hand, embracing all those who, with varying explanations of what the will in itself is, claim that since it is always and only an expression of the personal self, it must for that very reason be free, though its action will always be with absolute certainty.

The arguments of determinists all rest on the postulates of certain anterior and predisposing causes of all volitions. Predestinarians, of course, reason from the decretive will of an omnipotent Being. Certain physiologists claim that "consciousness is a function of the brain," and "that

Who deny  
and who af-  
firm freedom  
of will.

Arguments  
for and  
against.

material changes are the causes of psychical phenomena," and consequently maintain the doctrine of determinism.<sup>1</sup> Others again reason from the laws of heredity combined with educational influences; and others still, from the determining influence of environment; but all alike agree in recognizing will as a mere resultant of antecedent and necessitating causes. The reasoning of self-determinists rests chiefly, but not exclusively, on the testimony of consciousness.

In appealing to consciousness, however, in support of free will, careful distinction should be made between the two questions: What does consciousness reveal as actually taking place mentally in an act of volition? and What does consciousness reveal concerning the causal antecedents of volition? To the first question consciousness is competent to give a definite, and to many minds a satisfactory answer; to the second, its answer is that it knows nothing whatever of the matter. Consciousness may give us the clearest assurance of the freedom of mind in the exercise of its powers, and yet be unable to give us the slightest clue to the method by which the powers act, or to the connection of their action with any movement in the brain or with anything else that can affect our volitions.

A right use  
of consciousness  
in arguing for  
freedom.

There are four distinct senses in which the phrase freedom of the will may be, or has been, used: first, Absence of external constraint or compulsion; second, A state of equipoise or indifference between objects; third, A neces-

Different  
meanings of  
freedom of  
the will.

<sup>1</sup> See Prof. Huxley in *Fortnightly Review*, December, 1886.

sary condition, an essential principle, of rational being as such; fourth, A harmonious working of all the powers of the personal being.

SECTION I.—*Freedom as Absence of Outward Constraint.*

§ 74. Freedom of will in the sense of independence of outward or physical compulsion is unmeaning, since the notion of a will that is physically compelled is self-contradictory—is in fact inconsistent with the very idea of will.<sup>1</sup> Will can never be outwardly constrained or compelled, and therefore cannot properly be spoken of as free when not compelled. Force and restraint are totally irrelevant terms in speaking of will. If the external compulsion be supposed to come from the mechanical action of physical force, then it is not the will that acts but force, and will is only a misnomer for a special manifestation of force. Mere external force may control bodily action; it can never reach the will. But if no external force can reach the will, then to say that the only freedom the will can ever know is a freedom from “extraneous interference,” is to deny that it can be free at all; and this is what is really intended by those who would limit its freedom to the sense under review. They are all avowedly determinists.

<sup>1</sup> Prof. Bain says (*The Emotions and the Will*, p. 549): “The designation ‘liberty of choice’ has no real meaning except as denying extraneous interference.” Mr. Huxley says, “The only sense in which the word freedom is intelligible to me is the absence of restraints upon doing what one likes within certain limits.” Hobbes had long before said: “Liberty is the absence of all the impediments to action that are not contained in the nature and intrinsic quality of the agent.” *Liberty and Necessity*, near the end, or p. 273, Vol. IV. of his Works, Molesworth’s ed.



If again compulsion be conceived to be exercised by one personal will externally compelling another personal will, either through force or fear, then it is the compelling and not the compelled will which acts; the act performed will embody the will, not of the *actor coactus*, but of the real *actor agens*. But if one will cannot constrain the action of another will, then it is idle to talk of freedom of will as consisting of absence of outward constraint.

Free will not  
lost by per-  
sonal con-  
straint.

And so again, if the will be supposed to be constrained by an injected thought, by an outwardly suggested end or motive, or by some dominating personal influence, there still can be no external compulsion, since no thought nor motive nor influence can ever sway the will of another, until these have been so appropriated and assimilated by the very will of him who is swayed by them, that they shall become entirely his own, just as food can in no way minister to the vigor and action of the bodily organism, till the body has appropriated and assimilated it to itself. And it is not more absurd to say that the body is compelled in its action by the food it assimilates, and the atmosphere it breathes, than that the will is compelled in its action by its personal environments, or by the thoughts of others which it absorbs and assimilates. To refuse, therefore, to recognize freedom of will in any other sense than that of absence of outward interference is to deny that the will can in any sense be free.

Not com-  
pelled by  
injected  
thoughts or  
personal  
influence.

SECTION II. — *Freedom as Equipoise or Indifference between Objects.*

§ 75. The conception of free will as consisting in a state of equipoise, or indifference between objects of choice, is manifestly without ground, and must be set aside as nugatory. It suggests an unreal and an impossible state of being.

Every form of organic life, vegetable, animal, and personal alike, is endowed with its own typical nature, *i. e.* stands in given relations to certain objects, and in states of dependence on them, such as it stands in to no other. For instance, plants hold special relations to earth, air, light, heat, moisture, different species holding different relations; animals hold certain special relations to vegetation, water, light, air, heat, and to other animals, different animals differing in their several relations; and man as a personal being also holds certain relations, in common with all other animals, to objects of nature as well as to his fellow-beings. On maintenance of its several relations depends alike the beginning and the continuance of every species of organic life.

The special relations sustained by every species of life determine also its mode of being—its specific nature; and that which determines its nature is that for which it has a special affinity—is that towards which it is inherently predisposed. All this is specially true of personal life; whatever conditions its being is that for

which it has affinity,—towards which it is biased; and is that in and by which the life is perpetuated. Whatever is necessary to the existence of the rational and moral being is that for which he has affinity; is that towards which he is instinctively impelled and which he will consciously seek.

And more than all it is evident that individual persons begin life in this world with endless varieties of both degree and kind of hereditary pre-disposing affinities, so that a rational being in a state of equipoise between objects of thought and between objects possessed of moral qualities is neither actual nor thinkable.

Hereditv inconsistent with a state of equipoise.

### SECTION III.—*Freedom as a Condition of Rational Existence.*

§ 76. The phrase freedom of will to denote an invariable condition of rational existence,—an essential principle of the rational being as such,—is undoubtedly one that expresses a just meaning. We can form no clear conception of a rational being which does not also involve the conception of a free being. The real existence of free will in this sense may be vindicated in various ways.

All rational beings as rational have free will.

1. Consciousness testifies to its reality. (a) To be conscious of self is to be conscious of the free exercise of volitional power in self-movement. Without such free self-movement consciousness of self is impossible. Man alone of all animals gives evidence of being conscious of self; and of

Testified to by consciousness.

all animals he alone gives evidence of being free in the sense under review. (b) Consciousness testifies that volition is uncaused except as it is self-determined, and that it is inexplicable in its origin because it is self-determined, *i. e.* is a free movement of the soul. Of mental changes originated by causes other than our own volitions every one is frequently made conscious; but of volitions from any other causes than those supplied by the mind's own thoughts and judgments consciousness discloses nothing. (c) Consciousness assures us also that the will, whatever the influence on it of the lower impulses, or of injected thought, or of objective motives, can, and frequently does, go behind each and all of them, and so quickens or retards, so strengthens or weakens, the influence of each as greatly to modify if not entirely to arrest it. This the will could not do were it not in the fullest sense free.

2. We know by experience that in case an unworthy desire has obtained sway over us, we, *i. e.* our wills, have the power so to direct our attention to both the desire and its violation of moral law as to elicit from conscience a condemnatory judgment; and then, quickened by the judgment into new energy we, or our wills, have the power to direct attention to new objects of pursuit, by which we can so far circumvent the dominant desire as finally to control and overthrow it. Such power our wills could not wield if they were not in the strictest sense of the word free and the freest among the powers of the soul.

**Freedom of  
will taught  
by experi-  
ence.**



3. The judgments of conscience in self-condemnation for wrong volitions most distinctly imply freedom of will. Self-condemnation for a necessitated act, or for an act that we are not consciously free agents in performing, is impossible. Implied by judgments of conscience. Consciousness of moral obligation and of free will are but the two sides of one indivisible conviction. Take away the consciousness of freedom in choosing and we take away the possibility of self-condemnation for wrong choices.

4. Moral law, addressing its mandates and its sanctions to the personal intelligence, clearly implies freedom of will. If the will be not free in its action then moral law as expressing moral obligation, and as implying alternatives of conduct and of consequences from conduct, is unmeaning and impertinent. Implied by moral law.

5. Moral character as a personal acquisition can be praiseworthy or blameworthy in the eyes of rational beings, only as they regard the will by which the character is acquired as free in its action, and the individual by whom the character is acquired as strictly a free agent. Implied in judgments on character as praiseworthy or blameworthy.

Thus free will in the sense of a self-determinating power in respect to one's own activities is an invariable first principle,—a *sine qua non*,—of the rational being. To be a rational being, is to be endowed, as with an inalienable birthright, with the power of determining for one's self both the degree and the kind of his own action. An invariable first principle of the rational being.

SECTION IV.—*Freedom as Harmony among the Soul's Powers.*

§ 77. Another and just sense in which the phrase freedom of will may be used, is that of a harmonious working of all the powers of the personal being. The impulses to human action, as we have already seen, are of two classes, the higher and the lower,—the judgments of reason and conscience and the promptings of appetite, desire, and affection. It is the recognized office of will to apply the dictates of the superior powers to the control and direction of the inferior.

When the  
will is free  
and when  
not free.

If the will can perfectly perform this function, then it is free and the whole person is in a state of perfect freedom. If any lower impulse, or if any combination of appetites, desires, and affections be too strong for the will's control of them, then just so far as the will does not control but is controlled, it is not free; the authority of reason and conscience is overthrown; the soul is in a state of anarchy; the whole person is enslaved by usurping powers. We say powers, because though it be but a single appetite that usurps dominion, yet, once in control, every lower impulse is sure to join in league with it. Vices are always gregarious and prolific.

The bondage to which one is subject when under the dominion of the lower impulses may be looked at

Bondage of  
will viewed  
in two lights.

in two ways: first, as it is in itself considered, and secondly, as it is regarded and felt by him who is the subject of it. The nature and degree of it, in itself considered, will de-

pend in part on the nature of the usurping powers, and in part on the degree to which these have gained ascendancy; the way it will be regarded by him who is the subject of it will depend chiefly on the degree of his enlightenment. The plantation slave may have been in a much more degraded condition than the body-servant, and yet the latter by his greater enlightenment may have had a much keener sense of his bondage. A shameless sot or sensualist may have sunk much lower, and yet mentally suffer much less from a sense of his degrading bondage, than another with clearer perceptions over whom appetite or low desire has gained but partial ascendancy and holds but occasional sway.

§ 78. Possibly just here some one may say that in the sense of the word freedom under consideration the will can never be free, since it must always be constrained in its action by the judgments of reason and conscience.<sup>1</sup> But the objection that will is dominated by reason. objection is valid only on the assumption that the will, to be free, must act capriciously and not in strict accordance with the unalterable laws of personal life. The truth is, an unhindered and perfectly free will is simply a will that can conform itself to the remorseless realities of life; in other words, free will is only a continuation into act of an impulse received from a deliberate judgment of reason or conscience. Free will is the rational judgments put into action. The judgments themselves are only the soul's assent to the

<sup>1</sup> Duns Scotus has been quoted as alleging this objection to the doctrine of free will propounded by Thomas Aquinas, and occasionally a modern defender of Determinism seems disposed to avail himself of a like specious argument.

requirements of reality, or of truth and right; and free will is only the rational and moral judgments passing over, without let or hindrance, into volition.

Real freedom of will, then, consists in the perfect accord of the will with the rightful action of all other powers of the soul, particularly in the completeness of its maintenance of harmony between the demands of reason and the lower impulses of our nature. Its worst bondage consists in its subjection to the domination of irrational appetites and desires; its most perfect freedom, in following out the details of reason. Its freedom is absolute, when it is in perfect accord with all that is noblest in our nature; when it holds the whole soul to what reason and conscience regard as laws of truth and right.

§ 79. Thus freedom of will, in the sense of harmonious working of all the powers of the soul is freedom not merely of a faculty conceived as sustaining an ideal relation to other faculties, but is freedom of the whole personality. The whole soul is free, and free not merely to choose intellectually,—is not merely endowed with the formal freedom which inheres as an essential principle in the rational being as such, but is free to will efficiently, *i. e.* is free to execute in volitions just what the rational moral judgments declare.

This furthermore is the highest conceivable freedom attainable by mortals; is in fact the only freedom, strictly speaking, that man does not in his present state naturally possess. And of this

Freedom complete when will enforces the dictates of reason.

Freedom is of the whole personality.

The highest freedom.

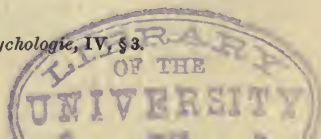


freedom all men, in so far as they are unable immediately to do that which they see to be right, are destitute; they are in moral bondage. But where this freedom really exists, the formal freedom of the rational intelligence, — the third sense considered by us in which the phrase freedom of will is used, — is coincident with real freedom of soul. He who possesses it is not only free in single and transient choices, but in his habitual, deliberate, and continuous determinations. He is, in the language of Delitzsch, not only *wahlfrei* but *machtfrei*,<sup>1</sup> — free, not only in choosing, but free in his power to do as he chooses.

He alone, therefore, is in the highest and fullest sense free who conforms himself most completely to the conditioning laws of his own moral being, — to the laws grounded in the inexorable demands of his own moral nature. Obedience and freedom always coexist; and other things being equal they are always commutual. He is the freest moral being who is most punctiliously obedient to all moral laws; just as the freest civil community is where all just laws are most completely obeyed. And hence the truth of the following paradoxes: the highest freedom is the completest subjection to law; the freest beings are morally the most necessitated to do right; perfect moral freedom is identical with moral necessity; the absolute freedom of an infinite, supreme will is one with the inexorable necessities of an infinite and consequently unchangeable nature.

The highest freedom is coincident with the completest obedience.

<sup>1</sup> Delitzsch, *System der Biblischen Psychologie*, IV, § 3.



## CHAPTER VI.

### DETERMINISM.

§ 80. SOME of the arguments in support of determinism (necessitarianism) may be briefly summarized and replied to as follows :

1. The more common of the arguments urged in our day are derived, by one process or another, from an underlying doctrine of materialistic monism. A very common method of argument is from the premises that every man is merely the resultant of what he brings with him at his birth, combined with the influences encountered in his education and surroundings in life. The whole man it is claimed, including his will, is simply the product of his parentage and his environments. Another and more specific way of stating this general argument derived from physiological experiments<sup>1</sup> is, that inasmuch as very many of the bodily movements of man can be clearly shown to be mechanical and unconscious reactions against nervous excitations, it must be concluded that all volitional

Arguments  
derived pri-  
marily from  
the doctrine  
of material-  
istic monism.

<sup>1</sup> See an article by Prof. Huxley, *Fortnightly Review*, Nov. 1874 ; also his *Lay Sermons* ; his article in the *Contemporary Review*, Nov. 1874, entitled, " Mr. Darwin and his Critics." Compare also Dr. Carpenter's criticism of Huxley in *Contemporary Review*, Feb. 1877. See also *Fortnightly Review*, before referred to, p. 123.

acts are merely automatic movements. But to both these lines of argument it is sufficient to reply that not only can will resist hereditary bias and whatever comes from environment, but it can so react against them as quite to reverse their power, and even to subordinate their power to the production of characters the opposite of what they tend to produce. And furthermore, not only do different persons from the same parents, and under precisely the same conditions, acquire dissimilar and even opposite characters, but the same person, under unvarying conditions, often undergoes, through the influence of ideas, complete change of character, thus proving that the force which moulds him is not inherited, and does not spring necessarily from his environment, but lies in the ideas which reason grasps, which conscience judges him by, and which free will puts into action and transmutes into character.

2. The will, it is claimed, acting as it always must, according to fixed natural laws, must act necessarily. But natural laws are not causes: they do not determine action; they simply declare that action or volition is always uniform under uniform conditions. The conditions that can in any sense be said to determine the action of the will lie in the moral nature of him that wills. Let the nature change and the will changes. The will, though acting always according to fixed laws, acts according to the laws of the nature it expresses; and is free solely because it is the free expression of the nature of the person willing.

Will, though  
acting by  
natural law,  
is also free.

3. Again it may be said that will being always and only an expression of the nature of the person willing, Will, though is also on that very account always necessitating. To this it may be replied that if expressing one's nature, will express the whole nature, — every power is not necessitated. working in harmony with every other, then the will is not necessitated, whether its action be virtuous or vicious. And if from any cause the will be incapable of carrying into effect the decisions of reason and conscience, then it is not so much a doctrine of determinism, as it is a doctrine of moral impotency (moral inability), which is illustrated, — an impotency induced and confirmed by a series of voluntary surrenders to desires that by long indulgence have usurped dominion over the soul.

4. Man, it is sometimes said, is always controlled by the strongest motives addressed to him, and being so controlled he must be necessitated in his volitions. But motives, as we have already seen, derive all their power to move from the person moved. It is the moral nature which the will expresses that makes the motives and not the motives that make the nature and determine the will.

5. Again, it is said man is under the government of an omnipotent and omniscient Being whose purposes none can thwart; the will of man must, therefore, always be necessitated in its action by the supreme will of an Almighty Ruler. The reasoning is founded on two erroneous assumptions: first, that will can be controlled by power, whereas mere power as compulsory

Is not controlled by motives.

Man's will not necessitated by an omnipotent will.



force of whatever kind or degree can have no relation to will. Omnipotence itself cannot force will. The second error is in assuming that omniscience in foreseeing with absolute certainty the volitions of men, and in providing for the control of results, must also compel their occurrence, *i. e.* it assumes that certainty is identical with necessity. The origin of the error is in the prior assumption that because we can foresee the absolute certainty of such events only as we see to be mechanically necessary, so in like manner to an infinite mind there can be certainty of future events only so far as these are foreseen to be physically necessary. But to an omniscient mind it is plain that certainty in the knowledge of future and contingent events need not rest on a foreseen necessitation, but on a foreknowing of precisely what the free volitions of men will be. Omniscience does not rest on omnipotence, nor omnipotence on omniscience, but each implies and is commensurate with the other.<sup>1</sup>

<sup>1</sup> The contributions of later writers on the Determinist side of the free will controversy have added very little to the support of Determinism. Biological and physiological facts and experiments skilfully used by Profs. Bain and Huxley have been made to throw much light on the physical conditions and concomitants of human action, but they throw almost no light on the hidden mystery of volition. Even with the aid of the preliminary work of positivists, and of such writers as Hume, J. S. Mill (the first chapter of Buckle's *History of Civilization* hardly being worth mentioning), they have left the question of determinism just about where Hobbes left it considerably more than two centuries ago. And as to the general subject of the will, no writers for the last hundred and fifty years, Kant not excepted, have discussed it more acutely, if more comprehensively and exhaustively, than it has been discussed by American authors, — among the chief of whom are Jonathan Edwards and Rowland G. Hazard, not forgetting Whedon, and the now but little read criticisms of Edwards by Day, Tappan, and Bledsoe.

## DIVISION IV.

### VIRTUE AND THEORIES OF VIRTUE.

#### CHAPTER I.

##### MORALITY, VIRTUE, AND RIGHTEOUSNESS.

§ 81. WHAT moral law prescribes, and conscience enforces, and will performs, is in one aspect of it morality; in another it is virtue; and in yet another it is righteousness. A clear understanding of what is meant by each of these terms will help us to a right view of virtue, and perhaps aid us in arriving at a just and defensible theory of it.

§ 82. Morality consists in compliance with the requirements of moral law. The quality of the morality will always depend on the quality of the motive in complying with the law. There may be a morality in outward form, which in the spirit of it is immoral because the product of corrupt motives. Virtue is the soul's or the will's persistency of compliance, — its energy in complying with moral law; it is an acquired power of habitual conformity to all right and law.<sup>1</sup> Moral practice breeds virtue. The degree of one's virtue is always strictly

<sup>1</sup> Kant defines virtue as "the strength of the human will in the performance of duty."

in proportion to the efficiency of his will in fulfilling his obligations. And the quality of his virtue, like that of his morality, will depend on his motives. Righteousness includes both morality and virtue, and denotes both right practice and a right state of both mind and heart.

§ 83. Thus the essence of morality is in its motive; the essence of virtue differs from the essence of morality only so far as a person differs from his acts, and consists mainly in the strength of one's purpose or motive. The essence of righteousness is in a right state of the affections, and consists in actual fulfilment in person and deed of all requirements of moral law. As the terms are now commonly used morality relates rather to what a man does than to what he in himself is; and virtue relates more to what he in himself is than to his outward acts; while righteousness covers the ground of both morality and virtue, *i. e.* stands for the quality of both one's acts and his character.

Essence of  
morality,  
virtue, and  
righteous-  
ness.

§ 84. Of the three terms, morality, virtue, righteousness, the last, most commonly used in a religious sense, belongs rather to Christian ethics than to philosophical ethics, and need not here be further discussed. But virtue is the one ultimate aim of all ethics. Morality is enjoined, not for its own sake, but because it is productive of virtue. One's conduct is commendable or condemnable partly on its own account, but mainly because of its reaction on his character, and because of its detergent or of its corruptive influence on the

Virtue the  
chief and  
final aim of  
Ethics.

character of others. Ethics as a science insists on right doing simply because the doing is at once the test and the instrument of right being.

Being and doing, *i. e.* virtue and morality, cannot, without violence to the first principles of ethics, be conceived as divorcible or even capable of existing apart. Whatsoever a man really does, that he is; whatsoever he is, that he also infallibly does. Single so-called virtues may exist in the same person side by side with marked vices; but the true virtue in which all individual virtues unite and harmonize is always coexistent with a pure morality. Where true virtue is, there the constitutive moral requirements of the rational being have been complied with, and some approach has been made towards a realization of the typical ideal of man.

An estimate of the worth of character, or of that state of personal being towards which all morality is tributary, cannot of course be safely made from single acts nor from any other data than long continued and carefully observed lines of action. But if virtue is the outcome of morality, then a sufficiently careful observation of one's actions cannot leave us in doubt as to his real character. What men in the long run do is sure to reveal what they are; character will disclose itself. Hence a true system of ethics, like the Christian religion, while it insists that every man shall be judged according to his deeds, will also insist that the judgment shall be of what he inwardly is, rather than of what he has outwardly done.



## CHAPTER II.

### THEORIES OF VIRTUE.

§ 85. WE have already seen that one's virtue is the product of his morality, and that the quality of both his morality and his virtue depends on the quality of his motives. To distinguish between true virtue and false we must discriminate between motives: and to ascertain what motives will generate the purest morality and thus yield the highest virtue, we must inquire for motives behind which none better or higher can be found. To make these inquiries is to examine various theories of virtue which have had or now have currency in ethical philosophy.

True virtue distinguished from false by its motive.

§ 86. A theory of virtue involves three questions: (1) What is the consummate quality of true virtue, *i. e.* what is it in virtue that makes it to be true virtue? (2) What ought to be the controlling purpose (motive) with any one who would be possessor of true virtue? (3) What, in the last analysis, is the final or all-inclusive reason which one should be able to give to himself why he will be controlled by the motive that will secure to him true virtue, — in other words, what is the last ground of obligation?

Three questions involved in a theory of virtue.

An answer to the first of these questions is virtually an answer to the second,—that of the first involves

An answer to  
either ques-  
tion implies  
an answer  
to all.

that of the second; and an answer to either one of the three will contain by implication an answer to both the others.

Thus, if I say that the consummate quality of true virtue is a supreme regard for the right object, then manifestly a supreme regard for that right object ought to be my controlling motive, and this controlling motive (purpose) will be found in the last analysis to disclose the final reason why itself should control,—in other words, the motive or purpose will be found to contain in itself a ground of obligation, below or behind which no other can be found; for example, if I say that true virtue consists in loving the supremely best thing, or best Being, rather than any subordinate thing or being, then my motive to action, and thus to virtue, would be love to this supreme object, and the last and all inclusive ground of obligation to love this supreme object would be that it is supremely best, and therefore entitled to be loved. Or again, if with Epicurus true virtue should be said to consist in the repose which brings happiness, then the supreme motive should be attainment of happiness, and the ground of obligation would be in the duty to be happy. Or yet again, if with Kant true virtue be said to consist in unswerving obedience to law, then regard for law should be the motive, and the ground of obligation would be in the unyielding demands of law.

§ 87. If now our explanation of the connection of morality and virtue be correct, and our account of true

virtue be also correct, then the answer I give to the question why I ought to seek true virtue must depend on what I regard as the ultimate ground of obligation; and what I regard as the ultimate ground of obligation must give to my actions all there is of morality in them, and to my character all there is of virtue in it; and all that need here be said on theories of virtue may be brought under a discussion of theories of the ultimate ground of obligation, or theories of the ultimate rule of right.

§ 88. But while inquiring for the true, ultimate ground of obligation it should not be forgotten that there may be various grades of not unworthy motives from the humblest to the most exalted, and that a degree of real morality may spring from a low grade of motives and a corresponding species of virtue accompany it; but the higher the motives the purer the morality and the nearer the approach to true virtue.<sup>1</sup> Could we ascertain and always draw our motives from the real, ultimate ground of obligation, our morality would always be pure, and our virtue always true virtue. The highest aim of ethics is to lift man up from the humbler and deficient grounds of obligation to a ground that shall give efficiency to motives drawn

Grades of  
motives and  
grades of  
morality and  
virtue.

<sup>1</sup> See page 108. — Those writers who disparage the morality of the New Testament as employing an inferior class of motives because it appeals to fear of future punishment and to hope of reward in heaven, seem strangely incapable of appreciating the real scope and spirit of Christian morality. The true glory of Christianity as taught in the New Testament is the almost measureless range of its motives, ascending from the hope and fear which can reach the lowest degradation to which man can descend up to the purest spirit of disinterested love of which human beings are capable.

from every other and lower ground,—to a ground behind which none higher can be conceived to exist.

§ 89. Nor will the inquiry for the real, ultimate ground of obligation be found to be fruitless or purely speculative. According to the conclusion adopted as to what constitutes the last ground of obligation will be both for individuals and nations the quality of their morality and the kind and degree of their virtue. What the mind intelligently and deliberately sets before itself as its highest motive or end, and consequently what it regards as its ultimate rule of right, must be at once the test of its morality and the gauge of its virtue. And what is true of individuals is conspicuously true of nations. National morality and national virtue take all their worth from prevailing conceptions of the ultimate ground of moral obligation. Stoicism and epicureanism competed for sway of the popular mind when Rome was at the height of her glory; all the world knows which won the day, and how fatal was the influence of the victor on the national morality and the national character. The French encyclopedists were explicit in the avowal of what they regarded as the ground of obligation and the true test of virtue; in the French revolution that followed from their teachings, their theory took form in object lessons that cannot be misread. And just so far as any national legislation looks only to immediate and selfish ends, regardless of right, and of the true ground of moral obligation, just so far, according to all teaching of history, will it sow the seeds of national calamities.



## CHAPTER III.

### THE ULTIMATE GROUND OF OBLIGATION.

§ 90. To decide as to what should be regarded as the ultimate ground of moral obligation is to decide on one of the most fundamental of ethical questions. The answer we give to no other question so materially affects our whole system of ethics as the answer we give to this. A most fundamental question. Whatever that answer may be, it will supply us with a motive in the pursuit of virtue which will subordinate to itself every other, and which will determine the quality of our virtue, whether it shall be true virtue or only a semblance and counterfeit. Any supposed ground of obligation that cannot be translated into a supreme motive to virtue, gives thereby most conclusive evidence that it is not the real ultimate ground. Whatever is a just ground or reason for obligation must also be a good and just ground or reason for fulfilling the obligation. The last ground of obligation, and the final or supreme reason for fulfilling the obligation, are only two different points of view for looking at one and the same thought.

There may be many reasons for a duty or obligation, any one of which may be a motive of more or less weight for fulfilling the obligation; but to suppose

that the final or conclusive motive which determines the distinguishing qualities of true virtue can ever differ from the ultimate reason for the obligation to be virtuous, is to suppose that true virtue has no distinguishing quality, but may consist of a variety of differing and even opposite qualities.

§ 91. To attempt a minute enumeration of the reasons for fulfilling our moral obligations would require us to bring considerations from many and wide fields of inquiry. To enumerate only a few of the principal reasons, would require us to sum up the results of long processes of previous inquiries, and inquiries that have

The last  
ground of  
obligation  
not easily  
determined.

ended with different minds in very different conclusions. To decide on the one reason of morality and virtue which shall take up and knit all other reasons into a harmonious and unified whole is a still more difficult task. That one reason, if it can be found, must be the reason beyond which no higher or profounder can be conceived to exist, and it must be admitted to be what is called the last ground of moral obligation,—the ultimate rule of right,—the final and all-inclusive answer to the inquiry why I must fulfil my moral obligations.

§ 92. Theories of virtue have at various periods been propounded, in which no account has been taken

Obligation  
not always  
considered  
in theories  
of virtue.

of obligation at all, much less of any ground for it. Motives to virtue, however, have always been implied, and these, logically adjusted to other parts of the theories, have plainly shown what kind and ground of obligation

would have been necessarily recognized had it been taken into consideration. Thus Socrates, seeking to resolve all that constitutes virtue into a single concept, makes it to consist of "knowledge," holding that no one could be virtuous who did not first know what virtue is, and that no one could fail to love and possess virtue when once understanding what it is. Plato added a perception of the beauty and wholesomeness of virtue as essential to the knowledge which constitutes it. Aristotle, criticising the views of both Socrates and Plato, insisted on "will" as an element of virtue, making virtue to consist in a prudential choice of the mean between excess and deficiency. But with Socrates, Plato, and Aristotle the one inquiry was for the highest good of man; and they alike agreed in finding it in individual pleasure; they were egoistic hedonists. Had the question of obligation arisen with them, undoubtedly they all would have resolved it into utility. The felt need of determining the relation of virtue to pleasure, which they had left undetermined, led the way to Stoicism and Epicureanism, which finally supplanted the ethics of both Plato and Aristotle; and it was the recognition of the supremacy of duty over pleasure which gave to the Stoical philosophy its affinity with Christianity.

It was not till well into the seventeenth century that the question of obligation and the ground of it was recognized as essential in a complete theory of virtue, and accordingly became a subject of critical inquiry. To this inquiry moralists were then primarily prompted by

Obligation  
recognized  
as the essen-  
tial principle  
in a theory  
of virtue.

a general reaction against the authority of dogmas, and by a growing recognition of the truth that if virtue is to be cultivated, it can be cultivated only through the influence of motives, and of motives grounded in something deeper than merely decreative will, and deeper than the pleasurable good which virtue is supposed to be useful in producing. In subsequent theories,—and they have multiplied rapidly,—the question of obligation or duty has always been more or less fully discussed. It is now the pivot on which all ethical controversies turn, and on the conclusions in which these controversies shall terminate will largely depend the moral character of generations immediately following.

It is of course true that an individual's ultimate ground of obligation in theory may not always be his real ultimate ground in practice. Early training and habits may have unconsciously supplied motives that continue in full force long after one's theory has logically supplanted them. But a settled theory of obligation is sure in due time to affect the conduct of a people. No one generation can clearly and consciously adopt a theory of moral obligation which shall not determine the character of generations that follow. To discriminate between motives, therefore, and to point out and emphasize the one supreme motive which should dominate all others, is to answer a supremely practical as well as a theoretical question.

Within the present century, however, several dissimilar and even opposing schools of moralists have,



like the Greek philosophers, subordinated the question of duty to that of the good. Jeremy Bentham, at an earlier date, had discarded the idea of duty as baseless, counting those acts only as good and therefore right

The question of duty subordinated to that of the good.

which minister pleasure, and those as wrong which minister pain. With him all utilitarians of the extreme type have uniformly agreed; those of the more moderate type have treated the question of duty as secondary and insignificant in comparison with that of the good. Certain writers who have claimed to stand at a Christian point of view, *e.g.* Rothe, *Theologische Ethik*, and Martensen, *Christian Ethics*, have also built their systems almost wholly on the idea of the good.<sup>1</sup> The same is done by the Hegelian moralists, F. H. Bradley, *Ethical Studies*, and T. H. Green, *Prolegomena to Ethics*; and, though it may not be strictly true to say that Paul Janet, *Theory of Morals*, and the American authors, Presidents Hopkins, Fairchild, and Porter, in their ethical text-books have subordinated the obligatory to the good, yet it must be admitted that Duty with them takes no precedence, but is treated as only equal to, and co-ordinate with, the good.<sup>2</sup> Professed utilitarians of the more moderate type, including the less moderate Professor Bain, have claimed to explain the idea of Duty as the outcome of the Hartleyan principle of the

<sup>1</sup> Schleiermacher, who had preceded them, had, in his *Sittenlehre*, from a more philosophical point of view built on the same basis.

<sup>2</sup> Dr. Porter regards obligation as a *feeling* "which is experienced by the soul within itself, without reference to any command from without," but "which is very often re-enforced by the authority of others." (*Elements of Moral Science*, p. 154.)

association of ideas, — as originating in the rewards and penalties, the domestic, social and political experiences in human life, while the most accredited expounder of evolutionary ethics, Herbert Spencer, professes not only to show us how the feeling of moral obligation has been originated, but how, in the progress of the race, it will at last have been outgrown.<sup>1</sup>

If it be said that they who base ethics on the idea of the highest good rather than of duty assume that whatever can be shown to be the highest good of man will naturally be his highest motive to moral action, and that his highest good will naturally and self-evidently be identical with, or within itself include, the deepest or last ground of obligation; it will be sufficient to reply that this is not self-evident; that the truth rather is, that the ground of obligation includes the highest good, and the highest good does not include, but rests on, lies in, a supreme regard for the last ground of obligation, whatever that ground may be. That which one settles on as the ultimate ground of obligation must, if properly appreciated by him, become his supreme motive to action; and so, if consistent with himself, the fulfilment of the last or supreme obligation will be to him his highest good. A supreme regard for the highest reason that I can give for doing right will be to me the highest good and minister to me the greatest happiness that I can know.

<sup>1</sup> Herbert Spencer says, *Data of Ethics*, p. 127: "The sense of duty or moral obligation is transitory, and will diminish as fast as moralization increases."

§ 93. Various classifications of ethical theories have been adopted, and on a variety of widely differing principles.<sup>1</sup> All attempts at classification, however, meet with a common difficulty, whatever the principle on which the classification is made. The difficulty lies in the fact that systems which agree in some of their fundamental principles are diametrically opposed in others. When the classification is on the principle that systems deriving their ethical conceptions from the same or similar sources shall be classed together, it sometimes happens that the uses made of the conceptions is so very dissimilar that the most hostile systems are brought into the same class. In classifying on the principle of grounds<sup>2</sup> of obligation, there is not unfre-

<sup>1</sup> One very common classification has been under the heads, Derivative and Intuitional, corresponding to another distribution under the designations *a posteriori* and *a priori*. Dr. Hickok divides into Objective theories and Subjective theories. Mr. Herbert Spencer has propounded two classifications: the first designating systems as theological, political, intuitional, utilitarian; the second, distributing according as the theories build either on the character or on the motive of the actor, or on the quality of acts, or on their consequences. Professor Sidgwick, in his *Methods of Ethics*, makes three classes, brought under the headings, Intuitionism, Egoistic Hedonism, and Universalistic Hedonism or Utilitarianism. James Martineau, in his *Types of Ethical Theory*, divides into two general classes, styled the Unpsychological, including two subdivisions of Metaphysical and Physical, and the Psychological, including the Idiopsychological and the Heteropsychological. W. L. Courtney, in his *Constructive Ethics*, classifies under two general divisions: I. Those who give no explanation of obligation; II. Those who give some explanation, satisfactory or unsatisfactory. Under the first are marshalled Materialists, Mystics, Quietists, Pessimists, and Pantheists; and under the second are grouped five varieties, — Egoistic, Sentimentalist, Utilitarian, Rationalistic, and Naturalistic or Scientific, — a classification which the author is very far from consistently following in the body of his work.

<sup>2</sup> The difference between the "grounds" of moral distinctions and obligations, and their "sources" or "origin," is too marked to be overlooked. The phrase "ultimate source of moral distinctions," sometimes met with, looks quite too much like a lack of clear thinking.

quently an uncertainty as to where the authors of the systems themselves supposed the obligation specially to lie. Thus Shaftesbury and Hutcheson have been classed, and not inaccurately perhaps, as intuitionists, and they both were at the same time undoubtedly utilitarians; but whether they believed obligation to be intuitively apprehended by the "moral sense," or arrived at through experience and inference, is not entirely clear. The same in a modified sense is true of Adam Smith, in his theory of "moral sentiments." And it is not certain whether Dr. Wayland really places obligation in "fitness of relations," or in the Divine will, and whether Dr. Archibald Alexander found it in the intuitive judgments of conscience or in the will of God. And in reading Dr. Porter's *Elements of Moral Science*, the question arises whether he places obligation in the demands of the "reflective judgment," or in the requirements of "the sensibility," or in the blended authority of both, or in "that ideal of duty" which these unitedly bring into consciousness.

So many of the theories of the ultimate ground of moral obligation as need here engage our attention may, with sufficient degree of accuracy for our purpose, be brought under four classes, which severally find the ground of obligation as follows:

Four classes  
of theories.

- I. In a supreme Will enforced by supreme power.
- II. In good or beneficent Ends.
- III. In principles intuited by reason, or in subjective feelings and states.
- IV. In the immutable moral nature of an infinitely perfect archetypal Being.



SECTION I. — *Theories of a Supreme Will.*

§ 94. 1. Theories which place the last ground of moral obligation in a supreme Will supported by supreme power, find the ground either (a) in the authority of the state, of a king, or of the supreme law-making power, — a theory elaborately defended by Hobbes;<sup>1</sup> or (b), in the will of God, in the authority of the supreme Being. This last view has had numerous advocates; was defended in an extreme form by William of Occam;<sup>2</sup> was held by most theologians in the seventeenth and eighteenth centuries; was specially defended by Paley<sup>3</sup> and Warburton;<sup>4</sup> and has been maintained by a few authors in later years.<sup>5</sup>

The great objection to the theory, in either form of it, is its necessary implication that right and wrong may be changeable quantities if the supreme Will shall so dictate. It virtually implies that might can make right. But to defend the theory against the charge of arbitrariness, those holding it have sought to show that the supreme Will enacts laws for the fittest and best possible ends, their views thus naturally running into and merging in one or another of the many modifications of the theory of moral Ends. Thus Hobbes, with whom pleasure and

<sup>1</sup> See his *Leviathan*, Part II.

<sup>2</sup> Nullum actum malum esse nisi quatinus a Deo prohibitum; et qui non posset fieri bonus si a Deo præcipiatur.

<sup>3</sup> *Moral and Political Philosophy*.

<sup>4</sup> See Watson's *Life of Warburton*, Chap. VI.; also quotations from Warburton's letters in Porter's *Elements*, p. 161.

<sup>5</sup> Dymond, *Essays on the Principles of Morality*. Wardlaw, *Christian Ethics*.

pain are always synonymous with good and evil, maintains that though right is determined by sovereign will, yet affirms that this will is subject to the "laws of nature," and that these laws always minister to the common weal of man,<sup>1</sup> and that "of all voluntary acts the object to every man is his own good."<sup>2</sup> Paley, defining virtue as "the doing good to mankind, in obedience to the will of God, and for the sake of everlasting happiness," apparently founds obligation in the Divine Will, yet by placing the motive to obedience in everlasting happiness he makes this happiness to be the reason for the will, and thus the basis of the obligation.

## SECTION II.—*Theories of Good Ends Subserved.*

§ 95. II. Theories which place all that they recognize of moral obligation in the Good Ends which morality and virtue subserve. Several different schools of morality,—schools that differ chiefly in their explanation of the origin of moral ideas and moral rules,—are properly grouped under this general class. With all of them, however, the idea of duty and obligation is subordinate, or at least not superior to, that of the highest good. By some of them, the idea of duty is professedly excluded.<sup>3</sup> But the notion that the idea of duty can be wholly excluded from a system of ethics,—a notion on which a classification of theories has sometimes been pro-

<sup>1</sup> *Leviathan*, Chap. 30.

<sup>2</sup> *Id.*, Chap. 15.

<sup>3</sup> Jeremy Bentham said of the word *ought*, "it *ought* to be banished from the vocabulary of morals"; also that "it is very idle to talk about *duties*."

posed,—is too plainly erroneous to be worthy of serious consideration; no just conception of virtue can be formed which does not imply a distinction between good and bad, or between right and wrong,—a distinction which by necessity of thought implies a duty to choose one and reject the other. Even evolutionary ethics recognizes duty, and attempts in its way to explain the origin of it. But differ as the several schools of this general class may in their accounts of both the nature and the origin of the sense of duty, all agree in recognizing some degree and kind of obligation, and place the ultimate ground of it in the results or ends that ensue from fulfilling it. The ends contemplated by different theories may differ widely, but each theory holds that in the ends it contemplates lies the fundamental and final reason for all the obligation it recognizes.

The theories belonging under this general class consist of two special classes: 1. Those which make virtue to be a means to some further end, embracing all shades of utilitarians. 2. Those which make virtue to be both a means and an end,—a sort of compromise between utilitarianism and intuitionism.

§ 96. 1. The theories which make virtue to be a mere means to an end, and known as utilitarian. Of these there are three distinct sub-classes which may differ in their explanations of the origin of moral ideas and tests of virtue, but are agreed in regarding virtue as merely a means to an end. Original utilitarians, how-

Two special  
classes.

Three sub-  
classes, mak-  
ing virtue a  
means to an  
end.

ever, held that moral ideas and moral laws are the results of observation, induction, and generalization. *First*, are those which, with varying shades of difference, make the end to be pleasure or happiness (hedonism), represented (*a*) by writers who, like Hobbes, make the end to be one's own present, personal pleasure, or, like Paley, make the end to be one's own personal future happiness (both of them egoistic hedonists); or (*b*) by those writers who, like Jeremy Bentham, Mill, and Bain, make the end to be one's own happiness, with suitable regard for the happiness of others, — "the greatest happiness of the greatest number," — (egoism conjoined with altruism); (and here also doubtless, in classifying strictly on the principle of ground of obligation, should be placed both Shaftsbury<sup>1</sup> and Hutcheson,<sup>2</sup> who make tendency to "promote the public good" the test of actions, but who suppose the test to be supplied by an intuitively judging "moral sense," rather than by experience and induction, as professed utilitarians commonly do, and accordingly are usually placed, as we shall also place them, under another class) see p. 169; or are represented (*d*) by writers like J. Stuart Mill (*Utilitarianism*), John Austin (*Lectures on Jurisprudence*), Professor Bain (*Mental and Moral Science*), and Professor Sidgwick (*Methods of Ethics*), who make quality rather than quantity of happiness to be the end, and, applying the Hartleyan principle of association, make the end to be the happiness not only of one's self, but

<sup>1</sup> *Inquiry concerning Virtue*, Book 2, Part 2.

<sup>2</sup> *Inquiry concerning Moral Good and Evil*, Sect. 3, Art. 3, ¶ 3. Also Sect. 4, Art. 1.



of all men (styled "universalistic hedonism" by Professor Sidgwick).

A *second* sub-class consists of the evolutionary theories of ethics, which, while rejecting all shades of empirical utilitarianism (Spencer, *Data of Ethics*, Evolutional theories. Ch. IV., § 21, § 22, and Leslie Stephen, *Science of Ethics*, Ch. IX.), and holding ethical principles to have been evolved, still regard virtue as a mere means to an end (*Data*, § 58, § 59), and regard the end as the continuation of existence, with a "surplusage of happiness" (*Data*, Ch. VII. also Ch. IV., § 15, comp. *Science of Ethics*, Ch. IX., II.). The only difference between evolutionary ethics and the older utilitarianism is in the explanations they give of the origin of the tests of right and wrong. According to Mr. Spencer, the older utilitarianism "recognizes only the principles of conduct reached by induction"; evolutionary ethics "deduces these principles from the processes of life as carried on under established conditions of existence." The latter is only a more intensified utilitarianism. See *Data*, p. 61.

A *third* sub-class consists of what for want of a more appropriate term may be called the American theologico-philosophical theories of utilitarianism. The initial of these theories was in American theologico-philosophical theories. the posthumously published tractate of Jonathan Edwards, entitled *The Nature of True Virtue*. Edwards held that "true virtue consists most essentially in benevolence to being in general." His pupil, and editor of the tractate, Samuel Hopkins, maintained that the benevolence should be "disinterested"

if the virtue is to be genuine. President Dwight and Dr. N. W. Taylor, of Yale College, taught that benevolence is obligatory because it brings happiness, — Dr. Dwight affirming that “the value of virtue consists only in its efficacy to produce happiness,”<sup>1</sup> and Dr. Taylor even maintaining that self-love is the spring of all moral action. With both Dr. Dwight and Dr. Taylor, as it was with Edwards, “the last end” of benevolence, and consequently the ground of the obligation to be benevolent, is “the happiness of the creation,” “the glory of God.” Dr. Mark Hopkins, late President of Williams College, belonging to this same school of thought, finds, in his text-book on ethics,<sup>2</sup> the ground of obligation in the supreme end of which man is capable, and that supreme end he places in “the happiness,” or, as he prefers to call it, “the blessedness of God and his rational universe.” “In the apprehension of such an end the moral reason affirms obligation.”<sup>3</sup> President Fairchild, in his *Moral Philosophy*, criticising the position of his fellow-moralists of the Edwardean school as open to the charge of utilitarianism, says, “Happiness is ultimate as good, benevolence is ultimate as obligation”; . . . . “that is ultimate in the light of which the kind of happiness to be chosen is determined.” (Ch. X.) How this office of benevolence differs from that of Professor Sidgwick’s “rational benevolence,” and how the system

<sup>1</sup> *Theology Explained and Defended*, Vol. 3, Sermon 97.

<sup>2</sup> *The Law of Love, and Love as a Law*.

<sup>3</sup> As to the question whether the doctrines of Dr. Hopkins’ treatise are utilitarian, see the correspondence between Dr. McCosh and Dr. Hopkins appended to the later editions of the treatise.

that builds on it can be said to differ essentially from Professor Sidgwick's "Universalistic Hedonism" (*Methods of Ethics*, Bk. IV.), is not so apparent as it should be, and by no means makes it clear why Dr. Fairchild is not to be classed as a utilitarian.

President Porter, in his text-book, *Elements of Moral Science*, maintains that "moral good is the voluntary choice of the highest natural good possible to man, as known to himself and by himself, and interpreted as the end of his existence and his activities" (p. 144). "The ideal of duty which man finds in his own capacities of good when viewed in the light of his reflective judgment" (p. 146), is "the supreme end" toward which "voluntary activity" should be directed, "the quality of this activity" being tested "by the rule or test which man finds in his own capacities" (p. 149). All that the idea of duty or obligation implies, or calls for, it is claimed, is "fully provided for by the recognition of that peculiarity in man's nature by which he is capable of being a law to himself; *i. e.* in virtue of the voluntary and self-conscious endowments of his being" (p. 160). All morality, according to Dr. Porter, lies in "right choice" and not in the "object" chosen. The object to be chosen is "the highest natural good of which man is capable," though "the object of his choice is not itself morally right or wrong." That which man, in "the light of his reflective judgment," decides for himself to be the "supreme end of his existence," he should choose, not because of any moral quality in the "end" chosen, but the choice is moral, and is the only means by which the "end" is attain-

able, *i. e.* morality is simply a means to an end. This certainly looks like a form of utilitarianism.<sup>1</sup>

§ 97. But to these several forms of the utilitarian theory there may be urged one or more, and to most of them all, of the following objections.<sup>2</sup>

1. Utility has nothing ultimate in itself, and consequently can of itself furnish no ground of obligation.<sup>3</sup>

Utility being nothing in itself cannot be the ground of obligation to anything else. Utility, as the word signifies, is mere subserviency of one thing to another, — a mere fitness of one thing to produce or minister to something else. But virtue is both a definite quantity and a definite quality of will-power which can exist apart from any end it may subserve, and from any pleasurable results

<sup>1</sup> Dr. Porter uses the phrases "moral relations," § 41, "moral distinctions," § 42, "ideas of right and wrong," § 48, and "moral conceptions," § 67, as meaning the same thing, and speaks of them indiscriminately as "derived," as "constituted," as "originating," as "products," as "gained by processes," as "discerned," as "the creations of the individual man." According to Dr. P. every man, as "self-conscious and rational," "finds the norm of his activity in himself," p. 149. His duty is, *i. e.* the one ground of obligation recognized is, to choose according to that norm "the best end possible to his nature."

Just what is meant by "moral relations" is not entirely clear. Dr. Porter calls them "products," and tells us that they are the necessary products or results of two conspicuous human endowments, — the reflective intellect and the voluntary impulses and affections," pp. 137, 138; and yet in another place he says, "moral relations are discerned by finding and applying the rule or measure of voluntary action, which is furnished by the nature of man when this activity is judged as related to the end of his existence," p. 149. The first of these sentences implies that "moral relations" are human creations; the other that they are discovered.

<sup>2</sup> Of the many writers who have written more or less extensively in criticism of Utilitarianism, it is sufficient here to mention "*An Examination of the Utilitarian Philosophy*, by John Grote, late Prof. of Moral Philosophy in the University of Cambridge, 1870. Prof. W. L. Courtney, in his recent volume, *Constructive Ethics* (1886) has devoted Bk. 2 of Part II. to Utilitarianism, but his criticism offers very little that is new.

<sup>3</sup> Paley says, "It is the utility of any moral rule alone which constitutes the obligation of it." (*Moral and Political Philosophy*, Book 2, Chap. 6.)



that may flow from it. If there be any fixed obligation to be virtuous, therefore, it must be found elsewhere than in an end which it does not always subserve, or in results which do not uniformly flow from it.

2. If pleasure or happiness be said to be the end for which virtue should be sought, and thus the basis of the obligation to seek it, it still cannot be shown that any one is under any obligation to seek his own happiness, though all men do instinctively seek it. No basis for obligation in pleasure or happiness. No feeling of obligation is needed to enforce compliance with instincts. Men instinctively seek food and enjoy eating; but eating is not its own end. We should eat to live, and not for pleasure. So the instinct for happiness is not for happiness' sake, but as an inducement, or motive, to that in which the happiness is found. It doubtless is true that if virtue could be shown to be never accompanied with pleasure, but always with pain, one effective though inferior motive to virtue would be wanting, and there might be doubt of our obligation to be virtuous, but this is very far from admitting that virtue is merely a means to happiness as an end; a refined happiness is, doubtless, one result or consequence of true virtue, but it is a result that comes unsought and unbought, and in no proper sense can be shown to be an explanation or basis of the obligation to be virtuous.

3. The personal happiness which may flow from virtue cannot be the ultimate ground of obligation, because it can exist only as the reflex of the con-

consciousness of having reached and rested on some apprehended basis of immutable obligation, whatever it may be, *i. e.* of having done one's duty. The complete happiness can be only his who has the consciousness of resting in a loving obedience to the last and all-inclusive ground of obligation.

4. The consequences of acts, pleasurable or painful, whether to individuals or to society, can never be the ultimate ground of obligation to perform the acts, because consequences are the mere sanctions of the moral laws which the acts fulfil or violate; sanctions, so far from being their own end, point unmistakably to some higher and ultimate end for which the laws and their sanctions exist, and on account of which the laws should be obeyed, — an end which itself must, therefore, be the final reason, or deepest basis, for the obligation.

5. That, furthermore, which is the last ground of obligation, being the highest motive to action, must also be the most determinative principle of the personal character. If individual happiness, even when modified by regard for the happiness of others so far as this is consistent with regard for one's own, be the only basis there is for obligation, then not only will self-interest be the initial motive to action, but supreme selfishness, which is only self-interest or personal happiness made the supreme motive to action, must be the most essential principle of true virtue. But it is a truth so readily seen as to be almost self-evident, that who-

soever will save his life, *i. e.* his happiness, shall lose it, and whosoever will lose his life or his happiness for the sake of compliance with the requirements of obligation shall find it.

6. The men to whom mankind have always felt themselves most indebted, and whose memories they have cherished most reverently, have not been those who have acted for their own gratification, or for the pleasure of others, but who have been ready to lay down their lives for the righting of great wrongs, for the defence of human rights, or for the vindication of imperilled truths. Disinterested, self-sacrificing deeds are commemorated among all intelligent peoples with undying remembrance.

§ 98. 2. The second special class of theories, under the general class which finds obligation in beneficent ends, includes those writers who, while objecting to utilitarianism pure and simple, yet regard the sensibilities as a part of the personal being which any just theory of virtue must recognize and fully provide for. They regard it as a man's first duty to secure to himself the "natural good" which his sensibilities crave, and in so doing not to lose sight of the perfection of being of which personality is capable. The determinative idea of the theories of this special class, in common with all the theories of the general class, is that of the supreme good rather than that of imperative obligation; and the good is conceived to consist in happiness associated with and produced by natural perfection. The only

Disinterested  
benevolence  
always com-  
memorated.

Virtue as a  
means and  
an end.

basis of obligation which these theories recognize is in the twofold capacity of man for happiness and "natural perfection." For the possession of these as his highest good he ought to strive. These theories are intended to mediate between the purely hedonistic on the one hand and those of unconditional obligation on the other. They aim to escape the gravest of the charges to which the extremes they would avoid are exposed, and yet, superior as they are to every form of hedonism, are open to the objection that they give to happiness the prominence of equality with perfection as an end, making it in fact to be a part of natural perfection, rather than the accompaniment of virtue which comes only when unbought and unsought.

As representatives of this special class may be mentioned Paul Janet, *Theory of Morals*, see Bk. I., chh. 3, 4, 7, and Bk. II., ch. 8; also Edith Simcox, *Natural Law*, see chh. 3, 5, 7; and here also, it seems to me, belongs Jouffroy, *Introduction to Ethics*, who finds the ground of obligation in the "moral order of the universe," but also makes personal good and individual happiness essential parts of the universal order. See Vol. 1, Sect. 2. Translation by Wm. H. Channing.

### SECTION III. — *Theories of Principles or of Subjective States.*

§ 99. III. Theories which ground obligation either in universal and immutable principles, truths, whose  
 Obligation in rational principles, or in mental acts and states. supreme authority reason intuitively and clearly discerns, or in some form of mental action which itself speaks with a supreme authority in consciousness. Two special



classes are manifestly included in this general class, the first resting all on principles and reason, and the second resting all on some special mental function. Theories of the first special class are sometimes called rationalist, because making all to turn on the intuitions of reason; and the second, esthetic, sentimental, or subjective, because making all to turn on feelings, mental states or acts.

Some of the theories of the two special classes have at times been arrayed against each other, but are here placed under the same general class, because, in the justification of themselves as theories they all rely, primarily, on the absolute trustworthiness of those immediate cognitions and feelings which are common and necessary to all minds. They all agree in regarding moral principles as something which the mind, in some one of its functions, can immediately and clearly discern to be authoritative. They are all for this reason often, though inaccurately, represented as distinctively and exclusively intuitional theories; inaccurately, because very few of them rely exclusively on intuitive perceptions, as furnishing an ultimate ground of obligation, the most of them bringing to their aid psychological analyses and metaphysical reasonings, and some of those of the second special class even appealing to the utility of virtue (see p. 156) in their support.

There is, however, it must be admitted, an ambiguity common to all the theories grouped under this general class, as to whether the basis of authority and obligation is to be regarded as lying in the mind's action, or in something of which

The so-called  
intuitive  
theories.

An ambiguity  
in the theo-  
ries of this  
general class.

the mind's action makes us aware. Thus in respect to the first special class, is it in the principles, the eternal truths, that the authority lies, or in the authority of reason that intuits the truths? And in respect to the second, is it in the soul's subjective emotions that obligation is discerned and rests, or in something which these distinctly represent or imply?

§ 100. 1. Under the first special class may be mentioned (*a*) Cudworth, who maintained, *Immutable Obligation in the intuited principles of reason.* *Morality*, Bk. 1, ch. 2, that "nothing is morally good or evil by mere will, without nature, because everything is what it is by nature, and not by will"; and Bk. 4, ch. 6, that "souls and minds," and "those things which belong to mind and intellect, such as morality, ethics, politics, and laws," "have an independent and self-subsistent being"; (*b*) Samuel Clarke, *Boyle Lectures on The Unalterable Obligations of Natural Religion*, props. I., II., III., finds the basis of obligation in "eternal relations";<sup>1</sup> an "eternal fitness of things," to which the eternal wisdom of God requires him to conform, and to which he requires all rational beings to conform,—and this conformity constitutes virtue; (*c*) Richard Price, *Review of the Principal Questions, &c., in Morals*, maintained, ch. 1, sect. 3, that "right and wrong denote simple ideas, and are therefore to be ascribed to some

<sup>1</sup> Dr. Wayland, *Moral Science*, Bk. 1, Chap. 3, Sect. 1, apparently places obligation in our existing relations to God and men, of which relations we "become conscious by means of our intellect." These relations, however, he regards as "by the appointment of God," and thus would also appear to rest obligation in the Divine will; in truth, he doubtless agreed with Bishop Butler, who made the authority of conscience supreme, regarding its imperative voice as the ultimate rule.

immediate power of perception in the human mind"; and ch. 6, that the right is always immediately felt to be obligatory, *i. e.* the very idea of the right carries with it by necessity the idea of obligation; (*d*) Kant, in his *Fundamental Principles of the Metaphysics of Morals*, in the first section, affirms that the only "good without qualification" is "a Good Will"; and in sect. 2 makes the fundamental conception of Ethics to be Duty, founded on the absolute authority of moral law, which, through the "practical reason" addresses man, not with hypothetical and utilitarian persuasives, but with a "categorical imperative"; and in the compliance with moral law, compliance solely out of respect for the law, *i. e.* for the law's own sake (*Critical Examination of the Practical Reason*, Bk. 1, ch. 3) lies the essence of all morality and of all virtue. Morality is vitiated and virtue corrupted by the slightest regard to pleasure or happiness as a motive to obedience. In strict agreement with Kant, and Price (*e*), Frances Power Cobbe, in her *Essay on Intuitive Morals* (ch. 4), says, "The law itself, the Eternal Right for right's own sake, must be the ground of our obedience"; (*f*) Dr. Hickok (*Moral Science*, revised with the co-operation of President Seelye) says, ch. 2, "The ultimate rule of right is the ultimate rule of reason"; "a rule self-evident and self-supporting, needing no other ground to support itself, or reveal itself, than itself."

Two characteristics are common to the theories of this special class. First, they make right and wrong to be determined by ethical principles, truths, ideas,

laws, which are simple, eternal, and incapable of analysis, and which all rational intelligence, infinite and finite, intuitively and by necessity recognizes as universal and immutable; and within these lies all ethical authority and the ultimate rule of right. Like mathematical principles and truths they are regarded as existing independent of all will, while to them an infinitely wise will is always conformed, and all finite wills ought to be conformed. A second characteristic is the great emphasis laid on the intuitive power of reason. So masterly and decisive is this power of reason that it becomes an open question whether ethical principles and truths have any real or quantitative existence; whether in fact they are not pure mental creations existing only as ideas and having no basis of reality. The question is specially urgent when reading the statement of both Price and Dr. Hickok; and is hardly less urgent in reading Kant's exposition of the relation of "the categorical imperative" and "the practical reason."

One real if not fatal objection to these theories is their lack of efficient motive to virtue. Accept whichever answer we may to the question above raised, either that ethical principles have a real and substantive existence, or that reason is itself the law-creating power — the laws, principles, ideas existing only while reason holds them in hand — the objection seems equally valid. Something more than unembodied principles, — than abstract ideas on the one hand, and something more, on the other hand, than the bare intuitions of reason, however vivid and

Characteris-  
tics and  
criticism.

An objection.



clear these may be, is necessary to impart energy to the heart of man in the mortal conflict with the insinuating power of moral evil. And in saying this, no recognition is intended of truth in the statement of Wilson and Fowler, *Principles of Morals*, p. 51, "that reason never excites to action," — as if reason within its legitimate sphere, and with real objects as motives, is not the most controlling power of the soul.

§ 101. 2. The second special class of this general class of theories finds the test or criterion of right and wrong, and thus apparently the basis of obligation, in some one or more of the subjective feelings and convictions of which, in view of different kinds of actions, all men are more or less distinctly conscious. The ambiguity and uncertainty, however, before alluded to, as characteristic of all theories of the general class are specially observable in the theories of this special class. While seeming to ground duty in the subjective requirements of individual souls, and thus in what have been called intuitive apprehensions of the good and evil of different actions, they all supplement the authority of the intuitions by an appeal, more or less direct, to the results of actions. Thus (*a*) Hutcheson, already referred to under the second general class (p. 156), following Shaftesbury (*Inquiry concerning Virtue and Merit*), held that we are endowed with a "moral sense" analogous to our bodily senses, the gratification of which is a test of the rightness of acts. The duty of mankind, therefore, is to do such acts only as gratify this sense, and to abstain from such as offend

Basis of obligation in subjective feelings and convictions.

it. But Hutcheson also says, in his *Inquiry into the Original of our Ideas of Virtue, or Moral Good*, sect. 3, p. 8, "We are led by our moral sense to judge" "that the virtue is as the quantity of happiness or natural good." The real foundation of duty is thus, not alone to be found in the intuitive requirements of the moral sense. (b) Adam Smith, in his *Theory of Moral Sentiments*, Pt. 1, ch. 3, placed the ultimate test, and thus the ultimate rule of right, in the sympathy which one feels assured he should have with his own acts and himself as actor, were he only an impartial spectator of himself and his acts; yet he maintained, Pt. 1, ch. 3, that "the whole virtue of any action depends on the affection of the heart from which the action proceeds," and that "in the beneficial or hurtful effects which the affection aims at consists the merit or the demerit of the action"; (c) Bishop Butler,<sup>1</sup> in his *Sermons, and Dissertation on the Nature of True Virtue*, maintained that self-love and conscience are the two controlling powers in the human soul, neither of which is to be supplanted by the other, though in superintendency and government conscience is naturally supreme. Ser. 2. Virtue thus consists in "following human nature." From the natural supremacy of conscience Butler says "we may form a distinct notion of what is meant by *human nature* when it is said that 'virtue consists in following it and vice in deviating from it.'" Ser. 3. He thus grounds obliga-

<sup>1</sup> Butler is here placed after Hutcheson and Smith, though he preceded them in time, because of his far greater influence on English ethical thinking.

tion in the supreme authority of conscience,—in any and every conscience without regard to the training it has had, or to the laws or rules according to which it judges. True virtue is in implicitly obeying conscience and vice in disobeying it. And yet in the line followed by both Hutcheson and Smith, and to the great delight of all opponents of Intuitional Ethics, Butler adds, Ser. 11, “Though virtue or moral rectitude does consist in affection to a pursuit of right and good as such; yet when we sit down in a cool hour, we can neither justify to ourselves this nor any other pursuit till we are convinced that it will be for our happiness, or at least not contrary to it.”

One objection to all these theories is their manifest uncertainty as to what decisively forms the foundation of duty. Another objection is their extreme egoism. The origin, test, end, and authority of moral principles are all and alike derived by them from man himself. Even Butler, who above every other moralist exalts the authority of conscience, claims to derive all moral principles from “human nature,” maintaining with the Stoics that morality and virtue consist in “living according to nature.” The authors of these theories all fail, Butler as well as the others, to furnish any uniform standard for the moral judgments of men, whether proceeding from a moral sense, from sympathy, or from conscience, and give no critical or satisfactory account of the faculty, sense, or sentiment from which moral decisions proceed. Conscience with Butler is the conscience of “the plain man,” but he attempts no account of the

Objection  
and criti-  
cism.

influence on it of education and training, nor of the origin of the rules or laws according to which it judges.

§ 102. IV. If no final reason for the enforcement of moral obligation can be found either in a Supreme Will, or in the beneficent Ends which may be regarded as resulting from actions, or in the self-centred, *i. e.* the egoistic principles, whether rationalist, æsthetic, or sentimental, which are supposed to be intuitively apprehended, can it be found in the immutable moral nature of the supreme personal Being who is the original and archetype of all human beings? That it may be found in this changeless nature of the Supreme Being several considerations constrain us to believe.<sup>1</sup>

1. To the existence of a Supreme Being conscience is a direct and constant witness. No real explanation of the existence and function of conscience can be given if the existence of a Supreme Being be denied. Its authority is inexplicable, except it be regarded as representative of a supreme Personality. To regard it as merely a faculty that forecasts and reviews the consequences of actions, is to confound it with prudence and to degrade its high offices to the low level of prudential calculations. To make it a mere capacity for discrimination between abstract principles, is to fail utterly to account for its judicial function or for the authority of its judgments; its coercive power is wholly overlooked. The truth

<sup>1</sup> This theory has been more distinctly recognized and avowed by Prof. Calderwood in his *Handbook of Moral Philosophy*, "Metaphysic of Ethics," Ch. V. 1, than has been done by other recent writers on Ethics.



is, its one distinctive function is that of authoritative self-judgments in the conscious presence of a supreme Personality to whom we, as persons, feel ourselves accountable. It is this twofold personal element, in every judgment of conscience, viz. the conscious self-judgment in the presence of the all-judging Deity, which has led such writers as Bain and Spencer and Stephen to attempt an explanation of the origin and authority of conscience as the product of parental training and social environment.

2. Conscience, in certifying to the existence of a Divine Being, testifies also, distinctly, respecting his moral nature. It is not alone in view of a Supreme Person, but also of a supreme kind of person, that conscience approves or condemns. The emotion of fear, awakened by a consciousness of offence against an omnipotent will, is a very different emotion from the remorse awakened by consciousness of antagonism with an infinitely pure will. In view of a malignant, or of an arbitrary Supreme Will, there might be a sense of relief in escaping his wrath, but no consciousness of a righteous approval; and in incurring his displeasure there might be fear, but there could be no remorse. Remorse is the reproach we heap on ourselves when made aware of the antagonism which our wrong-doing creates between the nature of our supreme Being and ourselves. The source of all our compunction is in the moral nature, and not in the supreme power of our Deity.

Witnesses to  
the moral  
nature of  
God.

3. Morality pertains largely — some have said ex-

clusively — to the relation of man to man. All men rest under certain obligations to their fellow-men, and to ascertain and to fulfil these obligations forms a very large proportion of all human duties. Why these obligations are obligations, and what the all-inclusive reason and motive is why they should be fulfilled, are questions to which no satisfactory answer can be given short of that found in the eternal nature of Him who is “Father of the spirits of all flesh.” To these questions Utilitarianism has in vain attempted so to adjust itself as to make rational answer; and Evolutionary Ethics has felt itself under special bonds to make answer, and hence its elaborate discussions of altruism. The only theory making answer by direct practical illustration is that which sees the source of all morality and the fundamental reason for being moral in the moral nature of the Eternal one. The thought that the blind forces of nature have goaded into the making of all our moral distinctions, prompts no one to sacrifice himself for the good of others. And if the promotion of happiness be the test of duty and end of life, then acts aimed at something better than happiness, viz. the doing right, even at the expense of unhappiness, are unprovided for. The truth is, men have duties to one another because partakers of a common nature derived from the archetypal and changeless nature of the One Original and Father of all.

4. The sequences of personal action are both natural and uniform, *i. e.* they follow of themselves and invariably from the joint action of all the forces that make

Mutual  
human obli-  
gations de-  
rived from  
the nature of  
God.

up personality. Just as the same physical effects always follow from the same physical causes, so the same moral effects always follow from the same moral causes. The invariability of effects in both cases is due to the constitution and constancy of the natures they represent. The nature of man being what it is, the moral results of his actions can by no possibility be other than they are. The results are what they are because of the laws of his moral nature, the laws being constitutive of his nature. As physical laws, chemical and mechanical, with their attendant phenomena, are everywhere the same through universal nature, and are the same because they have their source and seat in matter as such, so moral laws are for moral beings everywhere the same because they have their source and seat in the nature of moral beings as such, and their primal source in the eternal and therefore changeless nature of the archetypal Being whose image all finite beings bear.

The nature of God determines the moral results of actions.

5. The rewards of virtue are not directly bestowed, nor are the penalties of vice directly inflicted, but both follow naturally from the action and reaction between the infinitely perfect moral nature of God and the moral natures and dispositions of men. They whose moral states, tastes, and conduct are in harmony with the Supreme Being find in the consciousness of that harmony the most distinctive of the rewards of their virtue; and they whose moral states, tastes, and conduct are in antagonism with the Supreme One, find in that antagonism

Determines rewards and penalties.

the most distinctive element of their punishment. And what is thus the real source of rewards and penalties cannot be different from the ultimate ground of obligation.

6. Whatever one may regard as the final reason for moral obligation will, of course, be his test or standard of right, and his moral character will necessarily be the reflex of his standard. If we know what is practically his test of right, we may know for certainty what his character either is or must become. And if we believe man's highest aim should be to realize in his own person the highest type of manhood, and at the same time remember how certain and decisive is the influence of one's standard on his character, — how prone every one is to copy the defects if there are any in his standard, — it is incredible that there should be any other just standard of right than that of a perfect being, — than that, in short, of a Being of an infinitely perfect nature.

7. The connection of character with motive shows us where the final reason or ground for right should be looked for. Our highest motive for obedience to the right must manifestly be identical with what we regard as the ultimate reason for obligation; and our characters are sure to be what our ultimate reason and motive shall make them. And here again, as in the preceding thought, if it be true that our highest aim in life should be the realization in ourselves of the highest ideal manhood, and if the highest ideal manhood consists in a resemblance to the perfect archetype of all



personal being, then our ultimate ground of obligation should be looked for in the moral nature of the original and archetypal being, God.

8. The real ground of obligation cannot differ from the real source of moral law. It is impossible to conceive how law can have one source, and its authority another. Even if we suppose moral laws to consist of arbitrary prescriptions for definite ends, no authority can be conceived to exist in the goodness of the ends that did not previously exist in the benevolence which conceived the ends and prescribed the conditions for attaining them. If moral law be simply declarative of relations, — of the relations of the eternal nature of God to all other moral natures, — then the one immutable basis of law and of our duty to obey it, is in the eternal nature of God.

Source of  
law a ground  
of.

9. All there is of truth in either of the other theories which we have declined to accept, will be found, on examination, to lead more or less directly to the conclusion that the real foundation of moral obligation lies in the eternal nature of an infinite Being. Thus,

Supported  
by other  
theories.

1. If it be maintained that the will of God is the rule of right, and furnishes in itself the ultimate reason for its authority and for our obligation to obey it, the position can be held only by vacating the word "will" of its distinctive meaning and making it denote merely a revelation of the Divine nature. As an expression of such a nature, which is at once the source and type of all other moral

By the theory  
of a Supreme  
will.

natures, it might be accepted as the basis of obligation. Were the Supreme Will arbitrary, sustained by power alone, it could have no more authority with rational beings than the will of any other being of like power. But the will of God as a bare expression of a perfect moral nature, of which ours is a copy, speaks to us with an authority to which omnipotence can lend no additional weight. Nor is it a valid objection to say that because will is always an expression of personal nature, therefore this theory is identical with, or equiv-

**Objection.**

alent to, that which bases obligation on the bare will of God. The one valid objection to grounding it in the Supreme Will is, that mere will is absolute and decretive, and might change; but to object to grounding obligation in the eternal nature of God because his nature might change, and so moral law and virtue be changeable, is idle, since it supposes an objection which is precluded by the very terms of the theory. To suppose that the eternal nature of God, and thus the eternal constitution of things as an expression of that nature, might change, is to suppose that which would be fatal to any immutable basis of obligation, and consequently fatal to all argumentation on the subject.

2. Moral laws are useful in promoting human happiness, both individual and social, not because they were made for this end, but because they reveal the constitution of things, and more especially because they represent the changeless attributes of the eternal Mind which determined, and is proclaimed by, the constitution of things. Whatever

**By theories  
of utility.**

was the source of the universe must also have been the source of all natural laws, including the moral, which, in the truest sense of the word nature, are pre-eminently natural; and the happiness of man is always in proportion to the degree of his consciousness of conformity to all known laws of his being.

3. Attempts have been made to base obligation on simple and irresolvable principles of right, which the human mind intuitively and necessarily recognizes as in themselves authoritative. Theories of eternal principles. But scrutinizing this authority we find that it lies not so much in the principles as in reason by which a regard for the principles is enforced on the will; and that the weight of the authority is felt simply because we are morally constituted; and as so constituted we are antitypes of that eternal moral nature whence all law has emanated, and where, consequently, all authority and ground of obligation must in reality and forever rest.

4. Others find a basis for duty in sympathy, in a moral sense, or in conscience; and in defending this position have either explicitly or implicitly assumed that the authority which thus speaks from within is ultimate, because it is Theories of moral sentiment and of conscience. the voice of God speaking through a nature which he had created in the likeness of his own. Sometimes it is affirmed that obligation springs from a fitness of things, eternal or created. But moral law accords with our idea of the *eternal* fitness of Theories of fitness of things. things, only because the moral universe, ourselves included, being constituted as it is, our moral

intuitions are necessarily what they are; and because the moral universe and our moral intuitions alike are but reflections of the eternal Mind. Doubtless the fitness of things in *existing* relations between moral beings may immediately suggest to us moral laws, but it does not therefore follow that the ground of obligation lies in the relations. Relations between mere things, or between animals not moral, involve no moral laws; and it may be that the relations between a moral being and a ravenous animal, or a poisonous serpent, involve no moral laws. But laws and moral obligations are always involved in the relations of moral beings, and involved, not because of the mere relations, but because of the moral natures of the beings related. The relations of parent and child, of Creator and creature, at once suggest and involve moral laws, but only because the beings thus related are morally constituted, and are reflections of that eternal moral nature which is the basis of the moral universe.



## PART III.

### PRACTICAL MORALITY.

#### PRELIMINARY.

§ 103. PRACTICAL Morality applies the principles of theoretic morality to personal life and conduct. Theoretic morality treats of principles and truths ; practical morality, of precepts and duties. The first attempts to lay a philosophical basis for morality ; the second, to set forth explicitly, and by a method as nearly scientific as possible, the real obligations of men. For educated men in our day thorough grounding in the principles of morality is more serviceable than a knowledge of practical duties. Conduct that has become habitual from training and associations is more susceptible of change under the influence of principles than of precepts. And yet practical morality has its legitimate and necessary place in any complete account of morality. Its aim is to classify and enforce the duties of man in all his varied relations. His duties, grouped according to his relations, may be distributed under three general divisions: I. Duties to God. II. Duties to self. III. Duties to fellow-beings.

Writers on practical duties, however, while recogniz-

ing with a good degree of uniformity these three classes of duties, are not agreed as to the order in which they should be treated. Some begin with one class and some with another. But there are good reasons for beginning with duties to the Supreme Being.

1. It is to God, as we have already said, that conscience, the supreme arbiter in the human soul, immediately and immovably points, as the Being by whose authority it enforces obligations. The deepest roots of moral conduct are in the religious sentiments. Enlightened religious sentiment always and necessarily reveals itself more or less distinctly in the moral conduct. It does so because the sentiment and the conduct spring from one and the same centre of inward conviction. A man always is what he really and religiously believes.

2. God is the source of all moral laws, and furnishes in himself our strongest and most ennobling motives to action. Moral laws are simply declarative of his eternal nature. As commands and principles of action, the laws are most effectively enforced on the will by motives derived from the Divine nature. Emanating from God their office is to serve in bringing all hearts back to God. Brought back to Him human duties are fulfilled. Duties to Him should therefore precede all others in actual life; and in scientific discussion should receive attention prior to all other duties.

3. Duties to God should precede all others because fulfilment of them predisposes to a fulfilment of all

others. Supreme regard for the eternal Mind prompts to honest dealing with ourselves, and to continual regard for the weal of all men; the only never-failing well-spring of philanthropy is true religion, or love to God.

Fulfilled  
they prompt  
to fulfilment  
of others.

4. The final aim of moral science is to assist in the cultivation of the completest character of which man is capable. Such a character consists of a harmonious union of all personal virtues. These virtues are copies of the imitable attributes of our highest conceivable Being, *i. e.* of God. What we owe to a Being standing in this relation to us should receive our first attention in the summation of human duties.

As furnish-  
ing basis of  
character,  
they should  
precede.

## DUTIES TO GOD.

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### CHAPTER I.

#### RECOGNITION OF GOD IN NATURE.

§ 104. THE evidences of a pre-existent and predisposing purpose in nature are too numerous and too distinct to be overlooked. With the progress of natural science these evidences are every day becoming increasingly clear. No attempt to explain them away as expressing neither thought nor will, but as being the result of happily combined but self-disposing forces, can satisfy reason. Rational intellect cannot be made to accept second causes as first cause. Nor does it suffice to say that science knows no other than second causes. Science may exhaust itself in tracing processes through secondary causes; philosophy insists on a recognition of principles in the sense of sources and beginnings. With ever-increasing harmony, science and philosophy are uniting to assure us that in what we call Nature there is something more than physical forces; and that this something more wills and directs in physical phenomena, and has done so from the beginning. The duty of reverently recognizing this Divine Mind in nature is evident from a variety of considerations.

An intelligent Will  
revealed in  
nature.



1. This recognition enables us to see in the provisions of nature a meaning not otherwise discernible, and thereby awakens emotions not otherwise awakened. Every provision of nature is suited to some human necessity ; regarded as the accidental products of blindly working forces, these provisions simply awaken the feeling of self-gratulation at our having discovered their usefulness ; regarded as gifts of the all-wise and infinitely benevolent God, they awaken emotions of gratitude and love. As "finds," they convey to us no message ; as gifts, they speak to the heart.

Imparts new meaning to nature's gifts.

2. Recognition of God in nature gives articulateness to the voice of natural law. Every undisputed law of nature declares the Divine will with as much authority as if announced by an authenticated messenger. Laws of nature have their sequences or natural sanctions, and the sanctions speak to man respecting obedience and disobedience to the laws as explicitly as if conveyed in written words. He who sees in the sanctions a Divine will can read in them a language than which none can be more emphatic.

Gives articulate voice to natural law.

3. It gives a finer quality of morality than a regard for law as a mere blind order of sequence can ever impart. A species of real morality may doubtless be his who is influenced in his actions solely by regard to their natural results. But such a morality, even with the most enlightened, cannot fail to be bloodless and cold. The motives prompting to it can neither spring from, nor

Gives fineness of quality to morality.

take hold of, the inner powers of the soul. With the vast majority of mankind it would, at the best, be but negative and inanimate,—mere abstinence from such acts as are known to bring mischief in their train, and nothing more.

4. A true inward morality can exist only when the affections are aroused and enlisted; and only personal intelligence and will can arouse them in persons. Hence the superiority of biography and example as compared with precept, and of literature as compared with didactic instruction. He who sees a Divine purpose in the processes and results of nature, receives from them an impulse to good which can never be his who simply sees in them a marvellous and unpurposed succession of mechanical or chemical phenomena.

## CHAPTER II.

### RELIGIOUS OBSERVANCES.

§ 105. SOME kind of reverent and habitual manifestation of regard for the Divine Being is both natural and useful. Its naturalness is evident from the prevalence of religious rites and ceremonies among peoples most dissimilar and isolated from one another. Religious observances seem to be instinctive in origin, and to warrant the well-known designation of man as a "religious animal." That the observances are useful is evident from their influence on character. The moral difference between a devout man and a scorner, or between a people scrupulously religious and a people openly irreligious, tells a plain story which none but the wilfully blind can fail to see and feel the force of.

Two comprehensive kinds of duties to God demand attention, and they are specially noteworthy in this connection because of their serviceableness to morals: viz. Worship, and the consecration of one day in seven to religious uses.

§ 106. 1. Worship. This is due to God:

First, because he is God; just as a recognition of the highest personal worth is due from man to man. Men instinctively do reverence to those who are greatly their superi-

Religious observances natural and useful.

Worship and the Sabbath.

Worship due to God because he is God.

ors, especially if at the same time they are benefactors. God is the infinitely Supreme One and the universal Benefactor. Worship is due to him, not because he needs it, but because it is in the highest degree fitting that it should be paid to him. Great men, with all their imperfections, have been commemorated in statue and verse,—have in a sense been worshipped,—not because they needed it, but because of its fitness as a recognition of worth. The infinitely best Being in the universe, whom no statue nor picture can represent, and from whom every good gift to mortals has proceeded, is entitled to the devoutest reverence and worship that rational beings can pay.

2. Worship is due to God on account of our own relation to him. We are objects of his constant care and benefactions. Ingratitude for benefits received is

not only a sign of baseness, but itself debases. Gratitude refines and calls into exercise the finer and nobler impulses of the soul. No principle is more effectively constructive of character than the love prompted by genuine gratitude. The love of gratitude spontaneously expressing itself in forms of worship, and the naturally accompanying deeds of beneficence to men, ennobles human nature as nothing else ever can.

3. The influence of the object worshipped on character shows it to be our duty to worship God. Every

one has some object of supreme regard; that object stamps his character; he inevitably becomes like his God or his idol.

Only an infinitely perfect Being, therefore, should be



the object of man's worship. God as such a Being should be worshipped for the reactionary influence of the worship on character, even if for no higher reason. But there are higher reasons. Some of them are found in a conscious quickening of soul in its communion with God in worship. Others are found in answer to prayer. Prayer, which is petition as well as adoration and thanksgiving, and a most essential part of religious worship, is answered in other ways than by moral and spiritual reaction on the heart. Even this reaction would fail were we fully assured that no other answer could ever be received. On the character of him who is confidently expectant that his petitions will be heard, the preservative and moulding influence of prayer is unmistakable.

4. The connection of the religious sentiment with morals, both public and private, points directly to the duty to worship God. Worship is both the parent and the nurse of this sentiment. From connection of the religious sentiment with morals. Whatever may be our theory of its connection with morals, nothing is clearer historically than that with the decline of a people's religion there has always been a corresponding decline in its morality. Even the worst religions have put some degree of restraint on some forms of evil, and with the relaxing of its restraints descent to a lower moral level has at once and uniformly begun. Christianity is pre-eminently an ethical religion. One undeviating aim of all its required religious observances is to keep alive and intensify, through the religious sentiment, the moral convictions; its never-failing purpose is to

make "zealous of good works"; and in the fulfilment of its purpose, one of its most fundamental requirements is supreme devotion to God.

§ 107. 2. Duty of devoting one day in seven to religious uses. Many reasons can be adduced in enforcement of this duty, but only those of an ethical import need here be specified, and of these only such as are suggested by the individual and social needs of men. A Sunday or Sabbath should be religiously observed, because,

1. We need such a day for rest and recuperation. This need, according to the Jewish scriptures, was recognized from the first, and to provide for it there was established the Sabbath, or as the word signifies, the day of rest. Abundant evidence exists that the life of man and beast is prolonged, and the capacity of both for labor is increased, by a regular recurrence of a seventh day's suspension of toil. A multiplicity of holidays, however, which are to be carefully distinguished from Sabbath observances, promotes neither industry nor good morals, but to devote one seventh of our time religiously to rest and reflection economizes time and conserves morals.

2. We need a weekly day of rest from secular toil for self-scrutiny, for informing ourselves respecting our moral obligations, and for reflection on our personal habits, characters, and aims. In the never-ceasing conflict with evil, within and around us, nothing but an ever-widening knowledge of ourselves and our duties

Duty of religiously observing one day in seven.

Needed for rest and recuperation.

Needed for instruction and self-scrutiny.

can insure us the final victory. The need of such a day was never before in the world's history so great as in our hurrying and unreflecting age.

3. People who unitedly devote one day in seven to religious uses, and largely to public worship, mutually strengthen and quicken each other in the pursuit of all that is good and in the conflict with all that is evil. Men who take and pay their vows together at the same altar become tacit guardians of one another amid the temptations of life.

For quickening in the pursuit of all good.

4. A proper religious use of Sunday exerts a wholesome influence on the undevout, immoral, and vicious. It may not make them virtuous, but it restrains and sometimes leads to better thoughts and habits. Additional to all other reasons for a religious use of Sunday should be, with educated and reflecting men, the influence of their example on the ignorant and the vicious. In a free Republic like ours this consideration should come home to every man's conscience with force.

For its restraining influence on the immoral and vicious.

## CHAPTER III.

### WORKING TOGETHER WITH GOD.

§ 108. THE world gives evidence of a plan in its constitution and in the co-operative tendency of its forces towards intelligible ends. History reveals a constant though gradual rise of the race from a lower to a higher level. Over the forces of nature and the wills of men has presided a forecasting wisdom and a predetermining will. It may be a "far-off event" towards which all things move, but it manifestly is an event towards which a Supreme Power and Will are carrying all things forward. With this Power and Will it manifestly is the duty of all men to co-operate.

1. Co-operation, if it reach no higher stage than that of un murmuring and consciously acquiescent surrender to the Divine will, brings rest to the soul. In times of bereavement or overthrow of cherished hopes, such submission gives a repose that nothing else can minister and nothing disturb. But the sullen submission of the materialist is not to be confounded with the conscious acquiescence of the Christian theist. Dumb stoicism is measurelessly better than the self-chafing

Acquies-  
cence in the  
Supreme  
Will brings  
rest to the  
soul.



spirit of the pessimist, but the calm and patient trust of the Christian is incomparably better than either.

2. (A co-operation that rises to the degree of self-sacrificing activity, — that waits and watches for opportunities to hasten forward the purposes towards which sovereign Power and Will are manifestly shaping human affairs, — brings a higher boon than repose: it brings the delight of conscious movement towards the highest ends; more than all, it brings the delight of fellowship with the select spirits of the universe in a common working together with the infinite Will which rules over all.) There is a great deep of meaning in the Psalmist's words: "I delight to do thy will, O God."

Active co-operation brings delight.

3. An earnest endeavor to work together with the recognized Divine will in the world calls into exercise all the best powers of the soul. Nothing more effectively lifts a man out of himself, or more rapidly straightens him up toward the dignity of true manhood, than conscious and unselfish co-operation with good men in acts of beneficence to mankind. If to this unselfish co-operation there be added the conviction that in so doing we are fulfilling the sovereign and gracious Will that rules and shapes the universe, there are awakened the most ennobling emotions that mortals ever know.) This conviction, with its accompanying emotions, once getting possession of an individual or of a generation an epoch at once ensues. Biographies and histories abound in accounts of such epochs.

Calls into exercise all the soul's best powers.

4. The conscious feeling of co-operation with God

has resulted in some of the most marked achievements of our race. The moral heroes of the world have furnished abundant examples of what this feeling can accomplish. A man of low moral type, but of great endowments, like Napoleon, animated by this feeling in a perverted form of it, believing himself to be a "man of destiny," may be borne on by it to gigantic enterprises, and through selfishness to final ruin. To this feeling, in a higher type of it, Cromwell and his "Ironsides" were more indebted for victory in their desperate battles than to any other single cause. And to this feeling are multitudes of men in private life indebted for success in fighting their unwritten battles with evil.

## DUTIES TO ONE'S SELF.

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### CHAPTER I.

#### REALITY OF DUTIES TO SELF.

§ 109. THE reality of this class of duties has sometimes been disputed. Some moralists have maintained that all morality lies within the relations of man to man. Others have insisted that all human duties are comprised in the two classes of duties to our fellow-beings and duties to God. Thus James Martineau rejects "duties to self," — Reality of duties to self. "which," he says, "can be saved from contradiction only by an impossibility, viz.: the splitting ourselves into two, susceptible of reciprocal obligations." And in fact it would at first thought seem impossible that one and the same person can be both debtor and creditor to himself.

But the difficulty is only a seeming one. Every man in consciousness distinguishes between himself as observing and as observed, — as subject and object. As subject he is conscious of perpetually regulating the conduct of himself as object, — of prohibiting or prescribing to himself certain lines of action. This he could not do unless he distinguished between him- Self consciously distinguished as subject and object.

self as subject, owing something to himself as object. Dr. Martineau in recognizing the duties of "self-surrender" and "self-culture," implicitly admits what he explicitly denies. The truth is, man as intrusted with the power of self-control and self-direction is thereby charged with duties to himself.

The responsibility of every one for his own character makes a distinct class of duties to self a necessity. Character, it is true, is largely the outcome of intercourse with fellow-beings, and one test of what is due from us in this intercourse is to be found in the reactionary influence of conduct towards others on ourselves. And yet to attempt to say all that needs to be said of what is due to ourselves, while treating of what we owe to our fellows, is to run the risk of either a confusion of duties or a withholding from self its due share of attention.

Responsibility for character involves duties to self.

- Duties to self may be grouped under three classes:
1. Those existing at all times and in all places.
  2. Those arising from the relations of human society.
  3. Those arising under special circumstances.



## CHAPTER II.

### DUTIES TO SELF ALWAYS AND EVERYWHERE.

§ 110. I. DUTY of self-enlightenment, of informing one's self respecting the laws of his threefold constitution, the physical, the mental, and the moral. 1. Obedience to the laws of one's physical organism is the first condition of mental and moral health. Obedience to physical laws. Violation of these laws is sure sooner or later to impair both strength and clearness of intellect, and to derange the moral affections. One of the first duties, therefore, of every one, and especially of an educated man, is to inform himself, respecting the laws of his bodily constitution, and most rigidly to comply with them. A violation of them, even through ignorance, is a fault for which at this day there is no excuse, and a crime against self, for which no after regrets can atone.

2. The laws of mind are just as real and just as inexorable as those of body. They are not far to seek, nor difficult to comprehend. The conditions of mental health and growth are so clearly To laws of mind. revealed in every human experience, that no educated man, however unobserving, can fail to have some knowledge of them thrust on his attention. To refuse compliance with the conditions is to incur

penalties which can be neither misunderstood nor evaded.

3. The laws of the moral nature are more numerous and more complex than those of either body or mind, because interwoven with them, and yet alike with them are easily discerned and clearly understood; and on knowing and obeying them depends above all else the final issues of human life. Wilfully to violate these laws, or wilfully to remain in ignorance of them, is to store up in memory the fuel of a fire of self-accusings which no repentance can extinguish.

§ 111. II. Duties of self-discipline and self-culture. These are but two sides of the one great duty of every human being to develop himself into an harmonious and the largest possible whole. Preparatory to the fulfilment of this duty, parental training and good associations are indispensably serviceable. But without self-determining activity, the duty will remain unperformed; and the end enjoined unattained. To attain the end, the associate duties of self-discipline and self-cultivation must have unremitted attention. First of all and fundamentally necessary is the duty of disciplining every part of our nature into fitness for its appointed function.

1. Self-discipline. Man is the embodiment of self-developing instincts, appetites, impulses, capacities, and powers. Some of these are to serve and others to rule. Each has its appropriate function. No one of them can be exterminated

or maltreated without some degree of permanent injury to the whole personality; but each is to be held to its appointed office. Such as are to serve should be rigidly disciplined into obedience; and such as are to rule should be disciplined only that they may be cultivated into the completest fitness for their offices. A few examples of what is meant will suffice.

1. Man has instincts and appetites in common with all animals. These have their offices in the conservation of life and the perpetuation of the Instincts and appetites. species. But reason is their superior and should rule them. If not ruled they will rule. As servants, their service will be rendered only as they are steadily held in subjection. Whatever has its seat and source in the bodily organism must be humbled into obedience to the soul's higher power, or its true function will not be performed.<sup>1</sup>

2. Man is also subject to various passions. Uncontrolled instincts wax into passions. They are sure to become passions when their objects become Passions. cherished objects of thought. Such objects may kindle passions into devouring flames. Passion

<sup>1</sup> The grossest vices to which human beings are liable have their origin in misuse of the bodily senses of taste and touch: from the first come gluttony and drunkenness; from the second, unchastity. The duty of temperance, in the sense of abstinence from intoxicants, is now so well understood as to need here simply to be stated. Considerations of health of body and mind, to name no higher motives, should be enough to enforce it. Chastity, from motives of false modesty, is less frequently dwelt on, and as a result unchastity, though less conspicuous before the eyes of men than intemperance, is more prevalent. The penalties of unchastity, and the vice into which it plunges, less marked it may be to the common eye than those of intemperance, are not a whit less ruinous, impairing health, blunting the sensibilities, poisoning the fountain of moral life, and blighting the whole soul; in one form of it sometimes ending in idiocy or insanity.

is vehement emotion begotten by objects of thought, painful while it lasts, and ceasing only when expended in actions, or choked by a stronger emotion aroused by another object of thought. The duty of man is so to hold his emotional nature in check by a well-balanced variety of objects of thought, that no passion shall ever master him, and that every rising passion can be speedily mastered. Uncurbed passions run into vices, and vices as moral cancers eat into the vitals of the soul.

3. The imagination, as one of the fruitful sources of moral good and evil, the foster-parent of some of the worst, as well as some of the best emotions that ever haunt the human heart, needs constant care and discipline to keep it to its legitimate offices. The seeds of moral life and death are in its hands. Trained to busy itself with images of moral beauty, and hanging these in the chambers of the mind, it may be made the handmaid of every virtue. Allowed to hold before the mind's eye images that inflame the passions, it drags into filth before one is aware of its power.

II. Duty of self-culture. This duty is manifest from three very simple considerations: 1. The endowments of man, germinal at the outset and capable of development, were manifestly intended to be harmoniously developed. 2. There is an ideal manhood which all the higher powers of our nature bid us strive to attain to, and towards which it is possible for us continually to rise. 3. To make any progress toward our ideal, some of

The imagi-  
nation.

Evidence of  
the duty of  
self-culture.



our endowments must be trained into submission and service, and others into fulness of strength and of power to command. For submission and service, self-discipline, already considered, provides; for the office of control there must be added to discipline a positive culture. And if we would make the closest possible approach to the realization of a high ideal, there must be culture of the threefold and correlated powers of our nature, the physical, the mental, and the moral.

1. As a basis for a full and harmonious development of the whole personality, there must first of all be a well-trained and well-developed body; **Physical self-culture.** not only a body whose instincts and appetites have been disciplined into subjection, whose laws of health have been just sufficiently cared for to ward off disease, but a body so trained by vigorous exercise into robustness and power of endurance that it can bear with ease the tax made on it by daily mental toil, and have in reserve ample resource for emergencies. To make the most that can be made of our physical organism is simply to fit ourselves for the largest and best possible use of every other power of our nature.

2. Mental self-culture. (a) This takes up and carries forward what self-discipline prepares for and begins. It nurtures and keeps the mind active in the acquisition of knowledge. (b) In the processes of growth and acquisition are found the most **Mental self-culture.** innocent and some of the most exhilarating of human pleasures. With moral and religious ends in view, these processes minister the purest and most

refining of human satisfactions. What can thus minister to human enjoyment, every good impulse of man's nature prompts him to make his own. (*c*) Mental culture, furthermore, is a duty, because, like physical culture, necessary for a complete performance of other duties. No man can so completely discharge all duties and responsibilities of this life that with stronger powers of mind and wider range of knowledge he might not discharge them more perfectly. (*d*) New and higher duties, also, are constantly presenting themselves and calling for stronger powers and ampler resources. He who from lack of preparation finds himself unfit for the higher duties when they come, finds in his failure the humiliating penalty of a neglected duty,—a duty which would have given ample reward in the pleasure of its performance; and a duty whose rewards and penalties terminate in no single experience, but reduplicate themselves with the multiplication of years. No man can foresee what is before him, and none can overestimate the importance of cultivating his mind and adding to his knowledge by diligent use of every opportunity that offers.

3. Moral self-culture. (*a*) This, like mental self-culture, requires closeness and constancy of attention.

**Moral self-culture.** No fitful and transient efforts will suffice to bring it. It comes by successive but uniform steps, proceeding from the barely negative to the most uncompromisingly positive. (*b*) It consists not alone in abstinence from the wrong, but in choosing and in persistently pursuing whatever is recognized as right. All self-discipline, of whatever kind, is pre-

paratory to it, culture of both body and mind subserve it. But without moral self-culture incompleteness of character is sure to exist, whatever may have been the degree of both bodily and mental training. No natural gifts, be they ever so many or so great, and no acquisitions, be they ever so large, can conceal or compensate the want of it. (c) The imperativeness of the duty of moral self-culture exceeds that of all other kinds of self-culture. To its imperativeness the power of habit adds special weight, and it is re-enforced by the trace which every thought, word, and deed leaves on the soul from which it proceeds.

No action, whether foul or fair,  
Is ever done but it leaves somewhere  
A record, written by fingers ghostly  
As a blessing or a curse, and mostly  
In the greater weakness or greater strength  
Of the acts which follow it.

(d) The mysterious power of habit over one's peace of mind, as well as over the final issues of life, bids us beware how we cultivate ourselves morally. A right moral spirit, the product of good moral habits, will enable us to endure with composure, if not to repair, the mischief wrought by evil habits of both body and mind, but the mischief of bad moral habits nothing can enable us to bear calmly, much less to repair. The one preparation above all others for real success in life—the sole foundation for a character that can survive every test—is to be found only in habituation of heart and will to unyielding compliance with the requirements of truth and right.

§ 112. V. Duty of maintaining a proper self-respect, *i. e.* the duty of always so acting, inwardly and outwardly, as not only not to be ashamed of one's self, but to feel that we have not forfeited the respect of right-minded people. (a) Self-respect is to be carefully distinguished from self-complacency and self-conceit. Self-complacency is always a sign of vanity and weakness. Self-conceit is an over-estimate of one's abilities or merits, and is quite as much a sign of intellectual as of moral defect. Neither the self-complacent nor the self-conceited fail to get rudely and rightly jostled in our hard matter-of-fact world. (b) But self-respect is at once a requisite and a qualification for the respect of others. A loss of it is pretty sure in due time to entail a loss of the respect of others, though the disrespect of others by no means insures a disrespect for self. On the contrary, with a clear consciousness of right, the more one is reviled by the vicious, the ignorant, or the prejudiced, the stronger, if steadfast in his rectitude, will be his self-respect. (c) But no man who is conscious of being a sham, a cheat, a hypocrite, can ever respect himself. He can be self-complacent and self-conceited, but in his inmost soul he will be conscious of self-contempt. The duty of every rational being is so to act, to think, and to be, that he can always preserve unimpaired a well-grounded self-respect.

True dignity abides with him alone  
 Who, in the silent hour of inward thought,  
 Can still suspect, and still revere himself,  
 In lowliness of heart.



## CHAPTER II.

### DUTIES TO SELF IN SOCIAL AND CIVIL RELATIONS.

§ 113. WE begin life in this world as members of human society and under civil governments. For healthful continuance of life and normal development of powers, social relations and civil protection are indispensable. But society is an organism having its own unwritten laws, and for its preservation is also necessarily under civil governments. As a community of individual rights society must have its government for their adjustment and protection. To the laws of both society and the state every one is amenable; but in obeying the laws every one has duties to himself. A few of these duties are entitled to notice.

Duties to  
self in  
society and  
the state.

§ 114. I. Duty to ascertain and intelligently care for one's personal rights. Querulousness and over sensitiveness about them is not intelligent care for them. Such care requires that we first decide why they exist, and what they are, and then defend them.

Intelligent  
care for per-  
sonal rights.

1. The ground of personal rights is in personal obligations. They also may have their seat in the inherent dignity of personality itself, but only because personality is endowed with the highest of conceivable obligations.

The ground  
of personal  
rights.

If I have

obligations I have the imprescriptible right to whatever is necessary to the fulfilment of the obligations. Society and government transcend their authority if they deprive me of aught necessary to this fulfilment. Duty to self requires me to see to it that I am not thus interfered with.

2. Of one's personal rights the following among many may be instanced: 1. The right of self-defence. This is in a sense a duty as well as a right.

**Right of self-defence.** It is a duty as well as a right, because life is a trust, and no one is at liberty to allow himself to be robbed of it. It is a right, because on the continuance of life, even at the expense of the life of him who would take it, depends the performance of duties. If, furthermore, care for our own lives and the love of self are measures of the degree of care and love due from us to others, then self-defence is a personal right. If the right be denied, one of the strongest bars for the safety of life in any community is removed, and the first step towards anarchy is taken. But retaliation and revenge are forbidden alike by religion and morality.

2. A right to the protection of one's acquisitions, both of property and of good name. Civil laws recognize the rights of property and protect them. They also professedly recognize the rights of reputa-

**Rights of property and reputation.** tion, but through maladministration of law these are practically defenceless. A free press and free speech are now not unfrequently degraded with impunity into vehicles of vituperation, slander, and libel. The most irre-

proachable character, if it stand in the way of partisan ends, is not safe from the attacks of unscrupulous writers and speakers. The danger arising to our free institutions from the unwillingness of reputable men to enter political life lest their good names shall be smirched and blackened, is becoming to thoughtful men a matter of grave consideration. Not till some restraint can be put upon the present reckless use of tongue and pen in defamation of character will the state be able to secure for itself, when it desires it, the service of all its best citizens. In vain is civil process now appealed to for protection. Effectual defence must be sought for elsewhere. Public sentiment ought to be strong enough to ostracize from the society of honorable men a known defamer and calumniator as quickly and decisively as it would a convicted thief or robber.

3. Personal convictions and beliefs are inviolable personal rights. Society and civil governments meddling with these transcend their authority.

And the propagation of any opinion not inconsistent with the ends for which society and civil government exist, is also a personal right.<sup>1</sup> But with the propagation of opinions and principles which, if carried into action, would break up the foundations of society, civil government not only has the authority to interfere, but is false to its trust if it does not interfere. No man has any more right to propagate sentiments destructive of property or of life than he has to commit

Right to  
personal  
convictions  
and beliefs  
with limita-  
tion.

<sup>1</sup> See pp. 77, 78.

theft or murder. Liberty of conscience, however, so slowly admitted among nations in the past, now so emphatically avowed among all intelligent peoples, and yet so strenuously denied by dominant religions in different parts of the world, is accompanied, even when allowed its utmost range, by only a fraction of the evils attendant on its enslavement. No more direct bribe to intellectual dishonesty,<sup>1</sup> and thus to inward immorality, was ever devised than the demand, whether by society or by the state, that all shall believe alike.

4. No one, so long as not interfering with the happiness or rights of other people, can justly be deprived of the control of his own person or of the persons of his children. And yet, if children be neglected, or if from want of care for self and children there be exposure to contagious or infectious disease, and the health and happiness of a community are endangered, the right of personal control is forfeited. Communities have a right so far to restrict the personal liberties of their members as to guard themselves against a common exposure to disease and death.

§ 115. II. Duty to self of having a regular occupation. Human endowments to be developed must be

<sup>1</sup> It is quite the fashion among those who scorn all religious beliefs to charge those who hold to them as lacking in intellectual honesty. The temptations to insincerity in religious beliefs are too slight to be appreciable in a day and land where neither social advancement nor political promotion in any way depend on them; but whenever and wherever advancement and promotion have depended on them, the temptation has not been wanting, nor has it been lacking in power. A brief glance at the history of New England in the 18th century will illustrate this; and for Europe, see Lecky's *History of the Rise and Influence of Rationalism in Europe*, vol. 1, pp. 335, 428, and vol. 2, p. 95.



exercised. In childhood the needed exercise is supplied by natural and irrepressible impulse. But when the zest of first acquisition has passed away, and the monotony of life has set in, only a definite exertion of will can take the place of natural impulse; only rational considerations and fixed purpose can carry forward what natural impulse has begun. Mind and body, left to accidental stimulation to action, neither become in themselves what they are capable of becoming, nor accomplish results worthy of rational beings. Regularly recurring mental occupation, and stated bodily exercise, are unquestionable duties to self, because,

Need of personal occupation.

1. They are unalterable conditions to health and happiness. Health and happiness in a normal condition coexist; but they are not inseparable. Great unhappiness may exist with excellent bodily health; and there may be happiness in spite of bodily disease and pain. But, other things being equal, a stated occupation brings health of both body and mind. Obligation to "work for a living" is one of the last things for a sensible man to repine at. If labor is ever a curse, a resolute purpose to bear the curse transforms it into a blessing. Ennui, the curse for idleness, finds its only cure in industry. God is the blessed or happy God, but he "hath worked hitherto" and still works.

Necessary to health and happiness.

2. Occupations guard against temptations and vice. Poetry and popular proverbs reiterate the dangers of idleness. The multiplying examples of youthful indolence and idleness followed

Dangers of idleness.

by crime emphasize, in our day as never before, the duty of self-habituating to some kind of pursuit.

3. Regulated activities are a safeguard against the dangers of inherited wealth,—dangers created, it may be, by the mistaken kindness of well-meaning but unwise parents. Against the dangers of an inherited fortune, without preparation for a right use of it, the only safeguard is a resolute purpose to hold one's self steadily to some object of pursuit. One's first

**Safeguard  
against the  
dangers of  
inherited  
wealth.**

duty, doubtless, is to take care, if he can, of his own pecuniary and personal affairs, or at least to superintend the care of them by others. But there are numberless offices in society and the state which men of capacity, and of leisure such as wealth confers, can gratuitously fill with the greatest advantage both to themselves and others. The John Howards and Elizabeth Frys might be multiplied indefinitely with incalculable advantage to our race. The administration of public charities could well be in such hands rather than in the hands of paid officials. Were offices of public trust, and even of state, more frequently given to men whose wealth is too ample and whose integrity is too well-established for the temptation to speculation to affect them, charges of official corruption might be less frequent and less credible than they now are.

§ 116. III. Duty of living for worthy ends. Every one has, consciously or unconsciously, some predominant aim or ruling purpose in life. Duty to self requires that this purpose shall be a worthy one and fit for a rational being to

**Worthy ends  
in life.**

pursue. Few ends, it may be, are absolutely good or bad; the relatively good and bad are as numerous as are the varieties of human taste, talent, and opportunity.

1. One step towards deciding what ends are worthy will be to eliminate some of the unworthy.

1. The pursuit of pleasure is not a worthy aim in life. As mere gratification of the senses, pleasure is an unworthy end to live for, because it is a Pursuit of pleasure not worthy. degradation of our higher powers to the office of ministering to the lower. Nature brands such pleasure as unworthy by making it elusive to the seeker, or by transforming it into pain when the seeker thinks he has found it. And even the highest pleasures elude us, when sought for their own sake. Nature drops them silently and only into the bosoms of those whom she finds working contentedly in the paths of duty.

2. The seeking of great riches is not a worthy aim in life. The love of gain is undoubtedly natural and universal. It is a most useful impulse. Its service in the economy of nature is to forestall individual want, and to stimulate Desire for great riches unworthy. society into countless industries. But as an inordinate desire it contracts and shrivels the whole soul, deadening the moral sensibilities, and never becoming a dominant passion without tempting to trench on the rights and happiness of others. It may not be the grossest, but it is the meanest, because the most selfish, passion that ever tyrannizes over the human heart. The ambition to be rich, for the sake

of the show it will enable one to make, is too puerile for a rational being to be conscious of and not be ashamed to own it. Riches craved for the pleasure and gratification they are expected to give prove delusive. The pleasures of hope and of acquisition are real, but the pleasure of possession never fails in the end to disappoint.

3. Honors, offices, and applause are not worthy to be made objects of pursuit. Rarely if ever honorably attained when confessedly sought, they never satisfy Honors, offices, and applause not worthy. if dishonorably secured. If attained and satisfying, they must come unsought and as the awards of recognized worth. Even when sought secondarily as the rewards of deserving services, the only real satisfaction they can minister will be in the exhilaration of pursuit to which, as distant objects of hope, they are capable of prompting. As possessions which have been eagerly sought they never satisfy.

II. But there are worthy ends which duty to self requires should be sought. Whatever pursuit ennobles the pursuer, and at the same time benefits Worthy ends. mankind, proves thereby its worthiness and its rightful demands on us.

1. It is a worthy aim, and thus a duty to self, to subordinate one's own private ends to the common weal. This is a duty, because alone in doing it does To subordinate self to the common weal. any one attain to the largest measure of his personal being. (It is a moral law as well as a religious truth, that whoever will lose himself for the benefit of others will unexpectedly



find himself, and himself clothed "with garments of praise," the blessings of the thankful. The unselfish heart that sends out its thoughts of mercy over society will find these, like the aerial roots of the banyan-tree, striking into the soil below, and drawing thence an ever-increasing nourishment. The more it gives the more it is enriched. The clouds that scatter their showers to-day prepare for new clouds and showers to-morrow.

2. Every one owes it to himself to contribute his full share to the common possessions of men, material, intellectual, and moral. Society always is what the individuals composing it make it; and in return, every individual, to become the best he is capable of, must depend on society. From society he draws back with compound interest all he can give to it. But society owes him not a farthing except in return for what he has first given. It owes no mortal a living who has not first earned his living by contributing to the common store. If it saves the indolent from starving, it does so solely as a gratuity. If any one would make the world his debtor he must make it the richer for his having been in it.

To contribute to the common possessions.

## CHAPTER III.

### DUTIES IN SPECIAL CIRCUMSTANCES.

§ 117. OCCASIONS are liable to occur in the lives of all men involving disaster and perils. Human sagacity may not foresee their coming; if foreseen, human power may not be able to avert their coming. But forethought and reflection may in some degree prepare for them, that when they come they shall not appall us. To be so engrossed with the present as to be wholly unmindful of the future is not rational; and not to ask ourselves and answer the questions, how in given emergencies such as we know are liable to occur in the life of every man, we would conduct ourselves, is to be deficient in the exercise of that foresight which is characteristic of a rational being.

§ 118. 1. Every one owes it to himself to be patient and submissive under disappointments and losses. Coming unexpectedly, these may overwhelm with surprise, and even fill with inconsolable grief. Murmuring and repining, so far from relieving the grief, only intensify the sense of it. Duty to self simply bids us be calm and learn the lesson the losses teach us. The design of

Duty of  
patience and  
submission.

all trials is, as the word implies, that by testing us they may teach us. He is a wise man who is attentive to their teaching. Tribulation may harrow the heart, but only that the heart may bring forth the more abundant fruits of righteousness.

1. But there are irreparable losses; losses under which life seems insupportable. Lost friends, ruined reputations, vanished fortunes, sometimes break the spirit into despair. A disease may be in- Irreparable losses. curable, and accompanied with torturing pain. Is any one ever at liberty under such circumstances to take his own life?

2. Suicide is always a confession of moral cowardice. If by suicide the dependent and helpless are abandoned, then to moral cowardice is Suicide not justifiable. added the base crimes of desertion and betrayal of trusts. The mere physical courage necessary to the act of self-murder is only that of an infuriated animal; it is not the courage of a sound mind. Even the Stoics in defending suicide could justify it only as a last resort,—the despairing act of one to whom the ills of life seemed insupportable.

3. It is idle to argue in support of suicide that, because life has been thrust on us without our choice, therefore we have the right to throw it away whenever it seems undesirable to continue it. The truth is, life itself is the master blessing, the groundwork of all other blessings, and all that a man has, in a healthy state of mind, will he give to retain it. The highest joy,—the life of all life,—is in the conscious victory over,—the rising False defence of suicide.

superior to,—all the ills and evils to which our mortal life is here subject. The highest virtue is reached only through survival of trial and by stepping-stones of affliction.

§ 119. II. Every man owes it to himself not to cower before obstacles; and not to be wanting in courage and calmness in sudden danger.

**Duties of perseverance and courage.** The removal or surmounting of obstacles is one necessary method of developing

native powers, and accumulating personal energy. He whose path has always been open and level lacks one element of character attainable only through struggle and effort. To cower before an obstacle and retreat, is to yield to a weakness fatal to future success. To conquer a difficulty is to start an energy that cumulates with every new victory. To lose one's presence of mind and one's courage in the face of sudden danger, is accounted a reproach to any rational being. The only security against it is forethought, the habit of reflection on the uncertainty of all that now is, and a kind of mental rehearsal of what might justly be expected of us in any sudden and unexpected emergency.

§ 120. III. The duty of fidelity in trusts. This is one of the most binding of human obligations.

**Fidelity in trusts.** Treachery is instinctively execrated even among savages.

To an enlightened mind every form of it is criminal. And faithfulness in trusts is quite as much a duty to self in whom the trust is reposed, as it is to him who reposes it. In the betrayal of trust, the betrayed is in reality not so



much injured as the betrayer. If the trust is pecuniary, the loss from treachery may not ruin the betrayed, but cannot fail to ruin the betrayer. Even if immediate detection does not ruin reputation, the sense of treachery burns up self-respect and peace of mind, and makes life a burden. No man is ever so profoundly deceived as he who expects satisfaction from stolen wealth. Embezzlement is a most despicable kind of theft, because it is an abuse of confidence. Duty to self demands that no form of temptation should ever induce us to part with our right to be trusted.

The multiplied examples of betrayed trusts in our day and land, and the apparently growing insensibility of the public mind to the enormity of these crimes, form one of the alarming symptoms of a wide-spread moral disease. Against the contagion of this disease no young man is now safe who is not fortified with an immovable resolution that nothing shall induce him to part with his integrity.

Commonness  
of betrayal  
of trusts.

## DUTIES TO FELLOW-BEINGS.

THESE may be comprised under four general classes:  
I. Duties to fellow-beings simply as fellow-beings.  
II. Duties in the family. III. Duties in the mutual dependencies of society. IV. Duties to the state.

### CHAPTER I.

#### DUTIES TO FELLOW-BEINGS SIMPLY AS FELLOW-BEINGS.

§ 121. I. DUTY to respect their rights. The rights of men are reciprocal and relative. We have already shown it to be the duty of every one to care for his own rights. He must protect them if he would fulfil his obligations. Equally true is it, that he who is bound to defend his own rights is equally bound to respect and, if need be, to defend the rights of others. The basis of justice as between man and man is the community of their rights. To the duty of every one to care for his own rights we have already given special attention. Less reference to one's own rights will accordingly be here needed than would otherwise have been the case. Among the rights of others which we are bound to respect are,

Individual  
rights to be  
respected.

1. Right to life. If we claim a right to defend our own lives against others, others have equal right to defend theirs against us. Assailing their lives we forfeit all right to a defence of our own. One man's right to life is just as sacred as another's. Universal regard for this right, and for its sacredness, is one of the first essentials to the existence, and still more to the stability, of society.

Right to life  
to be re-  
spected.

The practice of settling private differences by duel had its origin in a low estimate of the sacredness of the right to life, and in a direct violation of the duty to respect and defend it. The fancied healing of a wound of honor by a sacrifice of life is one of those delusions which having once seated itself in the popular mind, it is extremely difficult to dislodge. Men have been slow to see that a challenge to mortal combat for repair of an injury to honor is a proposal to avenge an imaginary wrong by the commission of an actual crime; have been slow to see that in giving or taking a challenge to mortal combat there is virtually a commission of the double crime of suicide and murder,—of suicide because each one voluntarily puts his life in the hands of a deadly antagonist, and each one with deadly intent puts the life of his antagonist in jeopardy. Christian nations have done well to make duelling a penal offence, but nothing short of a clear-sighted public conscience speaking firmly against it as a crime, because a violation of the sacred right to life, can save moral cowards from committing it.

Duelling.

2. Right to personal liberty. This is the birth-right of every personal being, inalienable except through infringement on the rights of others. Only crime, or attempts to commit crime, can justify any one in interfering with another's liberty.

3. Right to property. Nature provides by instinct for the defence of this right, as it does for the right to life. In truth property is in one sense a part of life, since it is only by property, one's own or another's, that life is continued. In organized and civilized communities the whole force of the civil power is pledged to protect it. But only individual conviction of the inalienable right of every other individual to his own honestly acquired possessions can give to property, even in the best governed communities, its security.

4. Right to reputation. This is a species of property, requiring careful attention to acquire, and of great value when acquired. We have already recognized the duty of every man to protect his own reputation. In the present impotency of civil law to protect it, the moral obligation of every one to respect the right of his fellows to their reputations is intensified as never before. The heightened value of an untarnished name in this day of impeached and impeachable reputations adds its own special weight to the obligation. Legitimate criticism is, of course, always in order; but never detraction or slander, which are petty thefts and robberies. The duty of right-



mind men is to frown upon detractors and slanderers as they would on any other unpunished criminals.

§ 122. II. Duty to be honest and truthful. Human beings necessarily come into active relations with one another, even when not existing in organized communities and under established governments. In the continuance of any kind of relations with one another the demand for honesty and truthfulness becomes at once apparent. Dishonesty and lying repel more effectively than any other forces can attract.

Duties of honesty and truthfulness.

1. Honesty, or the rendering to every one what is due to him, is, in the essence of it, merely a practical recognition of the rights of property. Whatever any one owes to another that other owns and has a right to claim. Refusal of payment is dishonesty,—is one species of robbery. The kinds of dishonesty are innumerable; few only need be noticed here.

Honesty a practical recognition of the rights of property.

1. It is dishonest not to pay a known but unclaimed debt. To withhold from another his dues because he chances not to know or to have forgotten them, is doubly dishonest,—is the dishonesty of concealment added to the dishonesty of non-payment. Numberless unpaid debts of gratitude accumulate in every man's life; not to pay them is dishonesty.

Dishonesty of not paying unclaimed debts.

2. The deceptions practiced in the mechanic arts and in trade are among the commonest kinds of dishonesty. Enlightened moral sentiment condemns

them; the thoughtless wink at them as matters of course. They differ from thievery and robbery in form but not in spirit. A strictly honest man will be as unwilling to steal in one form as in another.

3. The purposed violation of contracts may be a more open species of robbery than cheating in trade, and can accordingly be more effectually dealt with by civil law, but is no more criminal morally than less daring modes of dishonesty.

4. Very despicable forms of dishonesty are borrowing with no expectation of repaying; repudiating loans whose only security was the honor of the borrower; and appropriating to one's own use funds entrusted for safe keeping. The moral guilt attaching to such forms of dishonesty is not a whit less than that of the crimes which send men to the state-prisons.

2. The duty of truthfulness. This is only the duty of honesty in one special aspect of it. Lying differs from dishonesty in being a specific and restricted form of it. Honesty has reference more particularly to the actual transactions of men; truthfulness or veracity, to the representations entering into and forming part of the transactions. Dishonesty is, as we have said, a species of robbery; lying is a misrepresentation of reality, and is often one of the necessary steps towards the robbery.

1. Methods of lying are as numerous as are the various modes of communicating thought. We may

lie by look, word, and deed, and even by silence. Deception through silence, or through mental reservation, is just as distinctively lying, as is any formally false statement in words. *Methods of lying.* Prevarication and equivocation, with the intention of misleading, are only special modes of lying.

2. The criminality of lying is specially manifest in its disastrous consequences. It kills self-respect, begets distrust of others, destroys mutual confidence, breeding perpetual dissensions *Criminality of lying.* and conflicts, and, where it prevails, making permanency of society and government impossible except on conditions of organized despotism and systemized espionage.

3. With common lying, which does not culminate in overt actions of dishonesty, civil law cannot cope. It can deal directly with perjury, because *Perjury.* this is a formal attempt to thwart civil law in its processes, and adds to the crime of lying the guilt of blasphemy. But with the exception of overt acts of dishonesty and perjury, the guilt of lying is left for the office of the individual conscience. All the more need, therefore, exists that every man settle it clearly in his own mind that lying, in every form of it, is a low, mean species of crime which not only degrades in his own eyes him who commits it, but makes him an object of contempt among honorable men everywhere.<sup>1</sup>

<sup>1</sup> To the much-mooted question in casuistry whether deception is ever allowable, no unqualified answer, it seems to me, can justly be made. Special circumstances require special answers. Abundance of specific cases can be given, however, in which the answer should unquestionably be prompt and

§ 123. III. Duty to cherish the spirit of true benevolence and to cultivate all those kindly acts, thoughts, and feelings which true benevolence begets. Benevolence is both a state of mind and a state of heart,—

True benevolence defined. is a settled mental conviction, and, as a product of the conviction, an abiding moral disposition. It is both intellectual and emotional. True benevolence is an intelligent, well-directed, and permanent good-will towards all men. It does not expend itself in idle well-wishing, but by rational methods seeks to confer benefits. And it does not content itself with caring only, or even chiefly, for those to whom natural ties most incline,—is not disposed to break its best loaves to kith, kin, and countrymen, and dispense only its refuse fragments to the outside world. Unselfish benevolence bids us care most for those least cared for by others, and to help first those most ready to perish. Considerations of relative worth may perhaps justify a choice between the objects of our benevolence, but selfish considerations can have no rightful place in determining the choice.

without qualification in the negative. And yet others again can be given, such as dealing with an enraged lunatic, or seeking to evade a murderous pursuer, in which some degree of deception, if ever, would seem to be permissible. Said one of the older citizens of Lawrence, Kansas, to the writer a few years ago, "I never in all my life was in so tight a place as when one of Quantrell's band in the great raid of 1863, with the muzzle of a cocked pistol close to my head, demanded to know if I was an abolitionist. The raiders were shooting down my neighbors all about me; but the thought flashed through my mind, if I say No! I shall ever afterwards be ashamed to look any one in the face; so I answered, Yes. An officer in command, standing near, for some reason, I never knew what, shouted, 'Don't shoot him.' The pistol was removed. I assure you I took a long breath of relief, and have ever since been thankful that I was enabled to tell the truth."



I. The duty of true benevolence may be seen from several points of view. 1. From its relation to the welfare of the race. Mankind, though composed of many units, is one. For the perfection of its oneness every unit is under obligation to seek the good of every other unit. The more completely this obligation is fulfilled in a community or nation, the closer will be the approach of a community or nation to completeness of estate. Should the spirit of benevolence ever so prevail as to animate every human heart, the perfection of the race would have come, or would inevitably and speedily ensue.

Benevolence  
a duty be-  
cause promo-  
tive of the  
public  
good.

2. The connection of benevolence with the fulfilment of every other duty between man and man, makes it one of our first duties to cherish the spirit of benevolence. Men may respect the rights of one another through fear of consequences from infringing on them; and they can be honest and truthful in their dealings with one another, solely from motives of policy. But the finer qualities of heart needed in the ever-changing intercourse of man with man must have a purer source than can be found in any social or civil sanctions of conduct. Only the spirit of genuine benevolence can generate them. And so close is the connection of the spirit of benevolence with every other human duty, that in a full measure of it as a ruling power of the soul—when it becomes a clear-seeing rational love—itself becomes the fulfilment of every other duty to man. In the words of

Genuine  
benevolence  
the fulfil-  
ment of  
every other  
duty.

the Apostle Paul, "all the law (*i. e.* every duty) is fulfilled in one word, even in this: Thou shalt love thy neighbor as thyself."

3. The spirit of disinterested benevolence breeds a serene and peaceful joy in the breast where it dwells.

Disinter-  
ested benev-  
olence breeds  
man's high-  
est blessed-  
ness.

In this joy lies the true blessedness of living. It is not our duty to strive to be possessors of this joy; in so doing it will evade us. Merging all private ends in an unfeigned and unselfish regard for others the joy slips silently into our hearts and begins its melody there before we are aware of its presence. True benevolence blesses him who is the subject of it only as it has first blessed him who is the object of it.

4. Enlightened benevolence is needed to regulate spontaneous feelings and impulses. In common with

Enlightened  
benevolence  
needed to  
regulate our  
sympathies  
and aver-  
sions.

all other animals man is subject to sympathies and aversions. Unregulated, these may become sources of mistakes and mischief. Out of unguarded sympathies spring broods of dangerous impulses. Aversion waxing into antipathy may terminate in crime. Only a wise benevolence can control and guide aright the sympathies and antipathies of man in his intercourse with man.

II. It is our duty to cultivate all the kindly acts and thoughts and feelings prompted by the spirit of benevolence.

1. True benevolence incites to the relief of wants and of every form of distress. Private charities are

only the spirit of benevolence embodied in concrete forms. But enlightened benevolence dictates discretion in the bestowment of charities. He is not truly benevolent who so relieves want as to perpetuate it, or is moved to alleviate distress solely to relieve his own emotions of sympathy. Nor should any one feel at liberty in this day of organized public charities to abandon his personal and private acts of kindness to the needy, because of a public provision for them. The neediest poor are those who shrink from the official almoner of public charities; only watchful eyes discern them. In relieving these there is a blessedness to both giver and receiver of which no wise man will allow himself to be deprived.

Duty of private charities.

2. True benevolence incites to, and duty requires us to cultivate the habit of, charitable judgments, courtesy of speech, abstinence from injurious gossip and talebearing, and a diligent attention to all those civilities, courtesies, and amenities which add to the pleasantness of life.

Duty of kindly thoughts and speech.

3. It is our duty to cultivate the habit of gentleness under provocations and of forgiveness of injuries. The frictions of life are perpetually provocative of ruffled spirits and resentments. These, if unsubdued and left to their natural action, multiply and aggravate the frictions, and so by reaction intensify themselves. The only effectual buffer to intentional provocations is habitual gentleness: "a soft answer turneth away wrath." The surest cure of an injurious spirit is the spirit of forgiveness on the part of the injured.

Duty of gentleness and forgiveness.

§ 124. IV. Duties to lower animals. The lower animals, like ourselves, have nervous systems, and are susceptible of both physical satisfaction and physical suffering; but man's right to subject them to his needs is regarded as unquestionable. His right also to destroy such animals as would destroy him or his domestic animals, or as actually interfere with his use of the earth, cannot justly be questioned. And his right to slaughter such animals, wild and domestic, as may be needed for food hardly needs defence. But to hunt and kill for the mere pleasure of the chase is, to say the least, an amusement that gratifies the coarser and never the finer instincts of our nature. Needless torture is an unmistakable sign of brutal disposition. Civil laws rightly make it a punishable offence.

The ground of man's obligation to be considerate and merciful in his treatment of dumb beasts is three-fold. 1. As living creatures they have a right to the continuance and enjoyment of life, so long as they interfere with no higher rights than their own. If they do thus interfere, then by a universal law of nature they must yield and disappear. That law is that the weaker and less worthy shall be borne down and swept away by the stronger and worthier. But the right of both the useful and the harmless animal to live and enjoy life, man as rational and moral is in duty bound to respect. To the useful animal that serves him he is doubly bound to be considerate and merciful.

2. As sentient and capable of pleasure and pain,



dumb beasts are entitled to considerate treatment from man. With disputes over the question whether animal intelligence differs from human only in degree, or in both degree and kind, we need not here meddle. Sufficient for us to know that animals are capable of suffering. Our duty is not to cause or permit them to suffer needlessly. That they distinguish between kindly and cruel treatment is incontestable.

As sentient,  
are entitled  
to consider-  
ate treat-  
ment.

3. To treat dumb beasts unkindly is to brutalize the human feelings. Even the lowest brutes are moved to sympathy by signs of suffering in their kind. For man, who can see signs of suffering which no brute can discern, to be indifferent to suffering, is to be less humane than the brute. A human brute forfeits his right to sympathy and even to kindness.

Ill treatment  
of them bru-  
talizes man.

4. The right of man to subject brutes to suffering by vivisection for the advancement of medical science has been warmly disputed. But if the right of the butcher to destroy animal life for the continuance of human life be conceded, it is difficult to show why the right of the physiologist to destroy animal life for the same object is not equally good. If a horseman has a right to press his horse to extreme suffering in flying from a pursuing foe, why not subject some lower and useless brute in seeking to save a multitude from the power of some hidden disease? Modern science has reduced the amount of suffering at the butcher's hands to a minimum, and it has done the same for suffering in vivisection. The

Right of  
vivisection.

vast increase of skill in the diagnosis of hidden diseases in our day, all of which is due to knowledge obtained by vivisection, more than justifies a hundred-fold over all the animal suffering ever inflicted by vivisection. Intelligent interposition for the protection of animals against needless suffering commends itself to all reflecting minds as reasonable and just. But a weak sentimentalism, interfering unintelligently with the use of animals in vivisection, and in other ways by which medical science is advanced, would, if prevailing, deprive us of one of the most fruitful sources of information now open to man in battling with some of the most mysterious and destructive of human diseases.

## CHAPTER II.

### DUTIES IN THE FAMILY.

§ 125. FAMILY, in its broadest sense, denotes a number of people dwelling under the same roof and sitting at the same board. The term is here used in the narrower sense of parents and children, inclusive of the accident of servants; and it is of the reciprocal duties of those thus composing the family that special notice will here be taken. If the family, however composed, is to be held together, there must be individual obligations, and these must be fulfilled. If it is to have stability, and is to realize its manifest design, there must be in its beginning and in its continuance a faithful compliance with these obligations by every member of it. As the most sacred as well as the most beneficent of all human institutions, it requires more than any other a most scrupulous regard for the conditions on which alone its beneficence depends.

The legitimate origin of the family is, of course, in a legal and formal marriage. In this relation originate, and around it cluster, all the duties of the family.

§ 126. I. The marriage relation. This is a relation

which nature invites and which religion sanctions. It is undoubtedly an ordinance of God. But it should be entered into only after the most careful deliberation that can possibly be given to it. Hastily and unwisely contracted, a life-long wretchedness may spring out of it. Intelligently and conscientiously entered into, the highest human happiness may be found in it. But in order to the happiness of those entering it, there must be compatibility of temper, congeniality of tastes, and a mutual and absolute confidence in each other. Matrimony without mutual affection and confidence is a crime against nature. Contracted from any other motive than that of mutual regard, it will avenge the wrong with a wretchedness all its own. To contract it with any other thought than that of its continuance while life lasts, is the basest of treachery; is a special act of perfidy to the innocent and helpless ones whom, in course of nature, the relation may bring into being.

But the discovery by those who are about to marry of an undoubted absence of the conditions of a happy marriage, is unquestionably a sufficient reason for a suspension and even a final abandonment of their purpose. No amount of solemnity or duration of an engagement to marry can justify a fulfilment of an engagement in face of the clearest evidence of future discontent and unhappiness. As between the alternatives of a union of disunited souls and the violation of betrothment, there can be but one reasonable answer. Better the breach of an unwise, possibly a foolishly hasty,

Marriage,  
and requi-  
sites for it.

Breaking of  
engage-  
ments to  
marry.



promise, with a short, sharp pang of disappointment on the part of one, than the lifelong domestic misery of two.<sup>1</sup> But when marriage has once been contracted, an irrevocable vow has been taken. Inexorable duty then requires that the married pair shall set themselves assiduously to the task of inspiring each other with confidence and affection. In order to a continuance of the marriage relation, and of the happiness that should be found in it, there must be a continuance and growth of the esteem and affection in which it originated, and withal there must be a cultivation of the gentleness and considerateness of manners which mutual affection engenders. No honorable and upright person will seek relief from remediable domestic evils in divorce.

§ 127. II. Divorce. For good and sufficient cause divorce is undoubtedly justifiable. That cause, and the sole one, according to the Author of our holy religion, is adultery; and with the sufficiency of this cause

<sup>1</sup> Early and long engagements sometimes involve in most serious perplexities. Two persons of equal intelligence and of the same level in society join with sincere affection in an engagement to marry at some future day. One enters on a course of liberal education; the other remains at the same stage where both were at the start. Years pass on, and the time draws near for a fulfilment of their marriage engagement. Both have been gradually awaking to the consciousness that they no longer stand on the same level,—that with the sincerest of purposes to be loyal to each other, the bond of sympathy that once held them has vanished. Shall the engagement be kept? The one whose mind has been enlarged and whose tastes have been cultivated hesitates; the other insists it shall be kept. If broken, a great wrong is apparently inflicted, and very likely a real and grievous wrong. If the wrong be to the woman, as most commonly happens, it is all the more grievous,—perhaps an irreparable calamity. The only preventive of such disappointments is that persons thus engaging themselves shall be careful to continue along lines of education nearly enough parallel to secure to them a common standing-ground of intelligence and taste, and thus a continuance of mutual appreciation and regard.

jurisprudence and moral philosophy have uniformly agreed. To this cause some legislators and judicial authorities have added others,—such as **Sufficient and insufficient grounds for divorce.** desertion, habitual drunkenness, and criminal abuse,—as good and sufficient reasons, resting the sufficiency of the reason on the ground that persons guilty of these crimes either have already committed adultery, or are in a state of mind equivalent to the commission of it. That there may be in either one of these a sufficient reason for separation need not be denied. But separation is not divorce. Husband and wife have an undoubted right to live apart, if they cannot live together peaceably; but they have no moral right to marry again. The demonstrable and unpardonable iniquity of groundless divorces is in the remarrying of the divorced.

No signs of degeneracy in our American social life are more conspicuous, or more decisive, than in the laxity of laws in many of our states in relation to marriage, and the recent rapid multiplication of actual divorces under these laws. Divorces not a few, there is reason to believe, are now obtained on plausible grounds, but for reasons which no honorable man or woman would dare, even before a not over-scrupulous public, to avow. The moral wrong inflicted on innocent children by these divorces is cruel and wicked in the extreme, and the moral influence of them on the young and on whole communities is beyond estimate mischievous. The indignation against the polygamy of Mormonism has been strong and deep and wide; but a stronger, deeper, and wider indignation

should be against those who, for trumped-up reasons, have through divorce rid themselves of wives or husbands only that they might in a freak of fancied preference marry some one else. The best protection against the perils of easy divorce is, greater caution and deliberation in marrying, and an unalterable determination that the obligations of the marriage, come better or come worse, shall continue so long as life shall last.

§ 128. III. Parents and children. Parents, by virtue of becoming parents, rest under the most stringent obligations to care for their offspring. To cause life is to assume a most solemn obligation to protect it, and to provide for its needs. Children, as the most helpless young that begin life in this world, must be cared for or perish.

*Duties of  
parents to  
children.*

In providing this care parental instinct and parental duty coincide. Parental duty also requires that due attention shall be given to the training and education of children, — that they shall at least be prepared, so far as parental influence and authority can succeed in preparing them, for the responsibilities known to be awaiting them on coming to their majority. If a bread-winning occupation will be needed by them, due preparation should be made for it. If wealth is to be transmitted to them, it is criminal neglect not to train them to an intelligent and rational use of it. To bring up a boy in luxurious ease and self-indulgence, and then, by a trusteed estate providing for all his wants, to rob him of all inducement to exertion, is a species of stupid cruelty of which no sensible

parent should ever be guilty. Better a thousandfold to be left in penury, if trained to industry, than trained in idleness to be left with a fortune. The greater the fortune, the greater the calamity. If children are to be left with fortunes, too much care cannot be taken to train them to a rational use of them, as well as to habits of due self-restraint.

But if parents by virtue of parenthood are bound to care for their children, equally true is it that children by virtue of being born are morally bound to respect and reverence and obey their parents. And here it is true of the filial instinct as of the parental, that it corresponds with duty.

Duties of  
children to  
parents.

The child naturally loves and obeys its first protector. What instinct does for the infant and child, developed and transformed into a living principle, it should do for the youth and adult. No stronger duty exists for youth than to love profoundly those who of all beings on earth love them best, and in loving to obey them as those who of all others are most disinterestedly careful for their good. The one commandment of the Mosaic ten accompanied with promise is: Honor thy father and thy mother that thy days may be long upon the land. And surely no principle is more effective in conserving the stability of a people than respect for parents and regard for their wishes. In the beginning of American society there was doubtless extreme exaction of filial reverence; the reaction from that extreme into the opposite extreme of disregard for parental authority bodes no good for American society or for the stability of American institutions.



§ 129. IV. Servants. These are not essential to the existence of the family as such, but are its accidents or adjuncts; often indeed indispensable to the comfortable existence of families, and always Domestic servants. useful. They stand in the double relation of service to both parents and children. Like every other member of the household they have both duties and rights. Faithful performance of the first is rightly exacted; the second should always be cheerfully conceded. Domestic slavery happily has ceased from among us, and no unprejudiced person now ventures to defend it, even on the low ground of economics, political or domestic. But there may be domestic oppression. As a safeguard against this, both parents and children should be considerate of the needs and rights of servants, as well as of their duties. And whatever the degree of their intelligence, they do not fail in the end to appreciate and make returns for considerateness of treatment. They who would be faithfully served must be faithfully attentive to their servants. Few things are more beautiful in the relations of families and their servants, than the mutual mindfulness existing after long years of faithful service and kindly treatment.

## CHAPTER III.

### MUTUAL DUTIES IN THE DEPENDENCIES OF SOCIETY.

§ 130. HUMAN society consists of a great variety of classes of people held together by ties of interdependence. No one class can subsist in complete independence of all others, and no one class is so hopelessly dependent that others are not dependent on it. Society is thus a system of mutual dependencies. Out of these dependencies a great variety of vital questions have arisen,—questions which are calling for answers more urgently to-day than ever before, and are likely to call more urgently in the years immediately before us than they have yet called. The questions are both economic and moral. But the moral in them alone has interest for us here, and should have predominant interest elsewhere. No economic answer that is not morally right and just can ever furnish for the questions a final solution. To only a few of the relations out of which the questions spring can or need we here give attention.

§ 131. 1. Employers and the employed. Between these there is always an agreement, tacit or formally expressed. Moral obligation requires that the em-

ployed shall render faithful service according to the agreement, and that the employer shall make a just compensation. Political economy says the compensation is, and ought to be, determined by the law of supply and demand. Mutual duties of employers and employees. Morality, which is only another name for justice, says the compensation should be a fair equivalent for the service rendered, and that it is an injustice in an employer to take advantage of an over supply in the market of the unemployed to extort from their necessities an inadequately paid service. The cruel wrongs sometimes practised on needy needlewomen in our large cities are instances of this kind of injustice. To find a test for what is just and right between employers and employees, regard must be had to the abstract question of the relation of capital and labor.

§ 132. II. Capital and labor. In the present economics of the world little if any employment can be given without more or less capital in the possession, or at the command, of the employer. This capital is entitled to receive its earnings or interest; Just relations of capital and labor. and for the care of the capital, or of whatever it is invested in, by its owner or his agent, there should also be a rightful compensation. But labor is also the employee's capital; and its owner is entitled to his full share of the profit accruing from the application of his labor to the capital of the employer. If the capitalist must have the earnings of his capital, and of his agent in managing the capital, so also must the laborer, or operative,

have the earnings of his capital or labor. Strict justice requires that the laborer's pay shall be his exact share or proportion of what has been earned by the conjunction of his labor with that of others and of the capital used. To secure some such fair distribution of earnings is the object of the co-operative system; and to secure such distribution, or its equivalent, in a blind, headlong way, seems to be the object of "strikes."

§ 133. III. Strikes. The right of employees to unite in self-protection against oppression, and if need be to refuse unitedly to work for given compensations, cannot be justly assailed. But when employees so uniting interfere with the free action of others who decline to unite with them in their strikes, they trample on individual rights, and are guilty of a tyranny which admits of no justification; they are guilty of inflicting on others the very wrongs against which they claim to be seeking by their unions to defend themselves. The despotism of unreasoning masses of men is incomparably more merciless than that of individuals. Labor unions are sometimes most iniquitously unjust in dealing with employers. Taking occasion to strike at critical moments just when the damage to employers from forsaking their service will be most disastrous, they are guilty of organized extortion, and by their injustice alienate the sympathies of an impartial public. If capitalists and employers are oppressive and extortionate, employees will not remedy the evils under which they suffer by themselves be-

The moral  
right of la-  
borers'  
strikes.



coming still more tyrannical and oppressive and extortionate.<sup>1</sup>

§ 134. Professional duties. The members of the so-called learned professions are just as much employees as are those who for stipulated wages agree to render the service of so many hours per day of manual labor. The difference consists in the kind of service and time devoted to it.

Duty in  
professional  
service.

The professional man, working with his mind rather than with his hand, performs his work in a longer or shorter time according to his ability, and the hardest of it by day or by night as best suits his convenience or his habits. Of all employees he accordingly most needs to be watchful over himself that he shall be scrupulously honest in his services. In most professions, the desire for success and personal advancement will stimulate to highest endeavors. And yet in all the professions instances are not wanting of failure from lack of industry and of faithful performance of duty. From want of attention lawyers lose cases and soon lose employment; doctors lose patients, and with their patients their practice; clergymen lose parishioners and in due time their parishes; teachers lose pupils, and editors lose readers, and as a consequence both lose their places. Intentional deception in professional service is none the less criminal because not always punishable. A lawyer who is false to his client, or a doctor who is false to his

<sup>1</sup> Boycotting is a sort of conspiracy to force individuals or companies into compliance with illegal demands. Persons joining in such a conspiracy deserve to be mercilessly dealt with by the civil law. It is a species of organized mob rule which no country should tolerate for a day.

patient, is just as much a traitor as he who betrays a city or an army into the hands of an enemy. The number of persons involved in disaster by treachery does not determine the measure of its guilt.

§ 135. IV. The enlightened and the unenlightened have mutual duties. No one can rightfully withhold useful knowledge from his fellow-beings. For knowledge of his inventions and discoveries every one has a right to demand remuneration. But he who has any knowledge which will unquestionably add to human welfare and happiness, is morally bound to communicate it to others. Useful knowledge may be rightfully turned into gain, but not rightfully concealed. The duty of the better informed, everywhere, is to do their utmost for the enlightenment of the less informed; the duty of the less informed is to be always ready to learn whatever it is to their advantage to know. The enlightened portion of every community ought to do what they can to promote the intelligence of the whole.

1. Public schools are a marked illustration of a recognition of this duty of the enlightened towards the unenlightened. Public schools originated with men who had so strong a sense of this duty that they gladly added to the burden of their taxes to fulfil it.

**Duty of maintaining public schools.** Later generations have re-enforced the sense of the moral obligation by bringing to its aid the force of political convictions. States whose governments rest on popular suffrage are under stringent political as well as moral obligation to

see to it that the voting shall at least be intelligent. And it plainly is the duty of states, not only to provide instruction in schools for children who are to become their citizens, but to require under penalty that the children shall be instructed. States that have a right to live have a right to enforce compliance with the conditions of their existence; no condition to the existence of a free state is more fundamental than that its citizens shall be both moral and intelligent.<sup>1</sup>

2. It is the duty of the more enlightened portion of every community to contribute by precept and example to the improvement of the less enlightened in manners and taste. These are closely akin to morals; good manners are in fact a species of good morals, manners and morals being not infrequently used as synonymous terms. In monarchical countries, where grades of society are fixed, the lower orders, awed by rank and the superior intelligence of those above them, unconsciously imbibe something of their better manners and taste; but in a democratic country, where the most ignorant and the most vulgar are made the political equals of the most cultured, it often

**Duty of  
promoting  
good man-  
ners and  
good taste.**

<sup>1</sup> Compulsory education for mental enlightenment, and compulsory education for the creation of religious convictions, are two very different things. Education for the latter purpose is foreign to the function of the state. Sectarian attacks on the public schools for not giving religious instruction are unreasonable and too often uncandid. What connection there is between religion and arithmetic, or geography or grammar, or between religion and learning to read and write and spell, it would puzzle even a Jesuit to point out. The state has a right to require that the teachers in the public schools shall themselves be moral, and shall both by example and by precept teach good morals; but to say that morals cannot be taught except in conjunction with theological dogmas or with a church ritual, is to affirm what can never be proved.

happens that men of the coarsest taste and rudest manners are, through universal suffrage, foisted into places of political prominence and of social influence. Their taste and manners infect the uncultivated classes as a kind of moral plague. Coarseness of manners and vulgarity of speech become the fashion. Arrogance of bearing, insolence of tone, obtrusiveness and general vulgarity of speech and taste, become the insignia of the independent citizen and voter. People with any degree of enlightenment or cultivation should be punctiliously careful to present in their own better manners and better tastes examples that may be in some degree corrective of the vulgarizing tendencies of democracy.



## CHAPTER IV.

### DUTIES TO THE STATE.

§ 136. OUR conception of duties to the state will depend largely on our conception of the origin and of the nature of the state, the conception of its nature always depending on the conception of its origin. If the state is only a skilful and convenient contrivance of men for living together peaceably and with common advantage to all, then duties to it will be simply matters of convenience or of policy. But if the state is the product of an inscrutable Power lying behind and controlling and organizing the wills of men into a unity of political life and ends, then duties to the state are stern and unalterable moral obligations. Of all the propounded theories of the origin of the state, there is but one that seems to furnish a just and stable ground of obligation to it.

Determined  
by origin and  
nature of the  
state.

The notion that the state is only an expanded or developed family, does not furnish a sufficiently satisfactory account of its origin. A family has a voluntary beginning, and at will may be broken up and ended; not so with a state. No human wills can directly originate a state; they can-

Theories of  
the origin  
of the state.

not destroy it. Nor does the theory that it originates in organized compulsion suffice as an explanation. A state must already exist before it can organize its own forces, or be acted on by organized forces from without. Nor does the gregariousness of man explain its origin. Hordes of men, however large, are not a state. Self-interest may hold vast numbers of men together for longer or for shorter periods, but they are not states. Nor does the theory of a social compact suffice, notwithstanding the elaborate defences of it by various authors, and by authors of various nationalities. No state can be historically proved to have had such an origin. And no one entering a state, either by birth or by emigration, ever makes any contract with it. Entering it, he must subject himself to its authority, whether he wills or not.

The state is a collection of persons organized into a body politic with unified interests and regulated privileges and duties. As related to other states it is as much an individual and a person as is any single person composing it; and in dealing with its component individuals it is the consolidated personality of the whole body politic. It is a politically supreme personal will, representing a Will higher than its own and higher than the sum of single wills composing the state; and acting now legislatively, now judicially, and now executively. If this is a right conception of the origin and nature of the state, then

§ 137. I. It is the duty of the citizen to sustain the state by every honest and honorable means in his

power. The ways in which one's service may be rendered are indefinitely numerous; two only, Support of the state. as illustrations, need here be mentioned.

1. It is the duty of every one to render to the state his just share of pecuniary support. As an By payment of just share of taxes. organization the state must have a government; the government must be administered by officers; the officers must be paid. As the embodiment of intelligence and will, the state has the right, and is under obligation, to defend itself, protecting its own life and that of its citizens; for this defence and protection it must have means, and so must tax its citizens. To pay his taxes, *i. e.*, to bear his just share of the burden of sustaining the state—his just share being determined by the relative amount of what the state protects for him—is a moral as well as a political obligation. In a republic where the citizens are the state, the moral obligation is intensified. To seek to evade just taxation, and one's full share of it, is therefore to refuse to perform a manifest moral as well as political duty.

2. It is one's duty, if need be, to lay down his life for the state. The state may be in perils from which only the sacrifice of lives can deliver it. By the sacrifice of one's life. It has an undoubted right in emergency to call for the sacrifice; to render it, is simply to discharge an obligation. If no one suffers from the sacrifice except the one who makes it, the state accepts it as no more than its due. Surviving dependents suffering thereby are justly made pensioners of the state. They are justly pensioned, be-

cause no one owes the state any more than what is distinctively his own; he cannot by his self-sacrifice righteously tax for the benefit of the state those who are rightfully dependent on him. He can be under no obligation to violate a primal obligation of caring for those dependent on him to fulfil another obligation of caring for the state. But if in obeying the call of the state he has given up his life, every other citizen is solemnly bound to care for those whom his death has deprived of his support. In like manner compensation is due for any personal incapacitation for self-support incurred in answering the state's behest for service in its defence.

§ 138. II. Duty to obey all laws of the state not manifestly contrary to the laws of God. All rightfully constituted authority, of whatever kind, should be revered. Obedience to all just laws is rightfully exacted under penalties. The state, by virtue of being a state, has authority, and is under the strongest obligation, to exercise its authority in the enactment and enforcement of laws.

Some light may be gained on the question of duty to obey the laws of the state by noticing their origin and design, origin and design being in this case but two points of view for looking at one and the same thing. Laws originating in a state originate in definite ends or designs. Thus:

1. In its organic or constitutional laws a state simply declares the conditions essential to its exist-



ence. The laws are declaratory of what is, and from the nature of the state must be. They constitute the state, and are fundamental to all its enactments,—are the ground of appeal in justifying all its statutes. To strike at any one of them is to strike at the foundations of the state. To set them at defiance, is to initiate revolution. In respect to them there seems for every citizen but one alternative, and that is to obey them honestly; and if in obeying there is hardship, or strain upon conscience, there is boundless liberty in advocating amendment, and, failing in this, freedom to emigrate.

2. In its statutory laws, which may be indefinitely numerous, and of various kinds, a state declares what must or ought to be done to protect itself and its citizens, as well as to promote the common welfare and to realize the ends for which all are organically united. To what extent the state can be justified in legislating for these ends, is a disputed point. All would seem to turn on the necessity, or on the legitimacy, of the ends sought to be accomplished.

That a state has the right to protect itself against the introduction of epidemic diseases by quarantine is universally conceded. That it has the right to protect itself from becoming the receptacle of the transported pauperism of other states or nationalities, is also conceded. And its right to prohibit the sale of quick and deadly poisons, except under the most stringent regulations, is also universally admitted. But the right to prohibit,

Origin of  
constitu-  
tional laws.

Origin and  
design of  
statutory  
laws.

except under like regulations, the sale of slow poisons which slay a thousandfold more victims than, under our criminal laws, could possibly be slain by the most unrestricted sale of quick poisons, and which pauperize and make felons of untold numbers who might otherwise be good citizens, is disputed and denounced as unwarrantable interference with personal liberty. And yet no one has made it clear, or can make it clear, why personal liberty can any more rightly be limited by the state in protecting itself against one source of pauperism and felony than by protecting itself against another. The truth is, self-indulgence and the love of gain combined so blind men as to make them insensible to the obligation of the state to stanch one of the most fruitful and pernicious sources of evil now open among the so-called Christian (not Mahommedan) nations.

Laws prohibiting the sale of spirituous liquors may be difficult, and, in the present state of public opinion in most of the States of our Union, may be impossible of execution, and may, therefore, till a better public sentiment prevail, be unwisely enacted. Existing laws should be enforced at all hazards. But laws once enacted should be enforced at all hazards. To enact laws and not enforce them, is to invite lawlessness,—is to bring the authority of the state into contempt. The laws may be such as a portion of the community are disinclined to obey; may prohibit a class of offences which they are determined to commit. But that is no reason for not enforcing the laws. On

the contrary, it is sufficient reason for bringing the whole power of the state to their enforcement.

There may be statutes, there have been in the past and may be again, which some persons feel in conscience bound to disobey; statutes which may be regarded as against the laws of God. In such cases there would seem to be but one alternative. No man should violate his conscience. He may violate the law, and make the reason for the violation as public as the offence, and then quietly and uncomplainingly submit to the penalty. Such offenders are not promoters of public disorder, and do not entice to the commission of crimes.

Conscientious disobedience of laws.

§ 139. III. Duty of strict honesty in fulfilling obligations to the state. Two causes influence strongly to dishonesty in dealing with the state. The first is, that the state is too often regarded as an abstraction,—as having in itself only an unsubstantial and ideal existence,—as

Two causes of dishonest dealings with the state.

being at the best only an intangible body whose claims on us it is perfectly legitimate to escape if we can. Its officers are regarded as mere functionaries whom we are justified in eluding or misleading whenever it suits our convenience so to do. Another cause is that penalties for dishonest dealing with the state are not often inflicted because the offences are not easily detected. But if the state is, as we have said it is, a consolidated personality embodying in one comprehensive intelligence and will the personal units composing it, then to evade its claims is as dishonest

as to evade the claims of any single person to whom we are indebted, and to be guilty of a crime whether detected or not.

To evade one's taxes by purposed concealments from the assessors; to elude payment of tariff by smuggling, by undervaluation, or by false entries; Instances of false dealing with the state. to send through the post-office with insufficient postage, are forms of dishonesty just as culpable as if practised in private transactions with individuals. The public conscience, it must be admitted, is far too lenient in judging such offences when detected, and the individual conscience by far too slow in condemning him who is conscious of having committed the undetected offences. It nevertheless remains true that he who cheats the state is guilty of a criminal act, and that the conscience of him who in any way does it ought to condemn him as quickly and as emphatically as it would if he had cheated his neighbor.







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